



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBs0485/1
JEO:kmg&kaf:lp

**SENATE SUBSTITUTE AMENDMENT 1,
TO 1997 SENATE BILL 345**

February 12, 1998 – Offered by Senator HUELSMAN.

1 **AN ACT** *to renumber and amend* 301.048 (6) and 303.065 (1); *to amend* 11.61
2 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 19.85 (1) (d), 20.410
3 (1) (b), 20.410 (1) (bn), 20.410 (1) (d), 20.410 (1) (g), 20.410 (1) (gb), 20.410 (1)
4 (gc), 20.410 (1) (ge), 20.410 (1) (gf), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), 29.99
5 (1m) (c), 29.99 (11m) (a), 29.99 (11p) (a), 30.547, 30.80 (2g) (b), 30.80 (2g) (c),
6 30.80 (2g) (d), 36.25 (6) (d), 46.21 (1) (d), 46.23 (2) (a), 46.48 (8) (d) 1., 47.03 (3)
7 (d), 48.78 (2) (d) 5., 49.124 (6), 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c),
8 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.145
9 (2) (rm), 49.32 (10) (a) 2. a., 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3),
10 49.49 (3m) (b), 49.49 (4) (b), 49.95 (1), 51.15 (1) (b) 2., 51.15 (12), 51.20 (1) (ar)
11 (intro.), 51.20 (13) (g) 2m., 51.30 (4) (b) 10. (intro.), 51.30 (4) (b) 10. a., 51.30 (4)
12 (b) 10. b., 51.30 (4) (b) 10. d., 51.37 (8) (a), 51.37 (8) (b), 51.37 (11), 55.06 (11) (am),
13 66.4025 (1) (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),

1 86.192 (4), 97.43 (4), 97.45 (2), 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b),
2 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 106.215 (8g) (b), 108.225
3 (11), 108.225 (18), 111.32 (3), 114.20 (18) (c), 125.075 (2), 125.085 (3) (a) 2.,
4 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.13 (1) (a), 132.20
5 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4),
6 134.58, 134.74 (7) (b), 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.95
7 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15
8 (2), 154.29 (2), 165.76 (1) (a), 165.76 (1) (e), 165.76 (2) (b) 1., 165.76 (2) (b) 2.,
9 165.76 (2) (b) 3m., 165.76 (2) (b) 5., 165.76 (2) (b) 6., 165.84 (5), 166.20 (11) (b)
10 1., 166.20 (11) (b) 2., 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.69, 184.09 (2),
11 185.825, 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2),
12 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 227.03 (4), 230.36
13 (1), 230.36 (3) (c) (intro.), 230.36 (3) (c) 2., 230.36 (3) (c) 3., 253.06 (4) (b), 285.87
14 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c), 299.53 (4) (c) 2., 301.03 (2r), 301.03
15 (3), 301.03 (3g), 301.03 (13), 301.046 (3) (intro.), 301.048 (1) (a), 301.048 (2) (b),
16 301.048 (2) (d), 301.048 (4) (a), 301.048 (4) (am), 301.048 (4m) (b) (intro.),
17 301.048 (4m) (b) 1., 301.048 (4m) (b) 2., 301.049 (2) (a) 2., 301.049 (3) (e), 301.08
18 (1) (c) 2., 3., 3m. and 5., 301.08 (3) (b) (intro.), 301.132 (2), 301.132 (3), 301.21
19 (1m) (a) 8., 301.21 (2m) (a) 6., 301.32 (3) (a), 301.32 (3) (b), 301.38 (1) (am),
20 301.45 (1) (b), 301.45 (1) (bm), 301.45 (1) (dh), 301.45 (2) (a) 4. b., 301.45 (2) (e)
21 1., 301.45 (2) (e) 2., 301.45 (3) (a) 1m., 301.45 (3) (a) 2., 301.45 (3) (b) 2., 301.45
22 (3) (b) 4., 301.45 (5) (a) 1m., 301.46 (2) (b) 4. b., 302.045 (1), 302.045 (3), 302.045
23 (4), 302.095 (2), 302.11 (1), 302.11 (1g) (am), 302.11 (1i), 302.11 (1p), 302.11 (6),
24 302.11 (9), 302.14, 302.17 (2), 302.25 (4) (c), 302.33 (2) (a) (intro.), 302.33 (2) (b),
25 302.335 (title), 302.335 (2) (intro.), 302.335 (2) (a) (intro.), 302.335 (2) (a) 1.,

1 302.335 (2) (a) 2., 302.335 (2) (a) 3., 302.335 (2) (b), 302.335 (3), 302.335 (4),
2 303.21 (1) (a), 303.215, 304.02 (3) (c), 304.02 (4), 304.02 (5), 304.06 (1) (b), 304.06
3 (1y), 304.062 (title), 304.062 (1), 304.062 (2), 304.063 (title), 304.063 (2) (intro.),
4 304.063 (3), 304.071 (2), 304.072 (title), 304.072 (1), 304.072 (2), 304.072 (3),
5 304.072 (4), 304.073 (2), 304.073 (2m) (a), 304.073 (4), 304.074 (title), 304.074
6 (2), 304.074 (3) (intro.), 304.074 (3) (d), 304.074 (4), 304.074 (4m) (a), 304.075,
7 304.13 (1) (intro.), 304.13 (2), 304.13 (3), 304.13 (7), 304.13 (8) (b), 304.135,
8 304.137, 304.14, 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156
9 (6) (b), 342.30 (3) (a), 342.32 (3), 343.06 (1) (i), 343.30 (2d), 344.48 (2), 346.17 (3)
10 (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.65 (5), 346.74 (5) (b), 346.74
11 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5),
12 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4),
13 563.14 (2), 563.27 (1), 563.51 (29) (b), 565.50 (2), 565.50 (3), 601.64 (4), 641.19
14 (4) (a), 641.19 (4) (b), 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 783.07,
15 801.50 (5), 938.183 (3), 938.78 (2) (d) 5., 938.991 (1), 938.991 (3) (c), 938.991 (5)
16 (a), 938.991 (5) (am), 938.991 (6), 938.991 (7) (title), 938.991 (7) (a), 938.991 (7)
17 (b), 938.991 (7) (c), 938.991 (14), 938.993 (2), 939.50 (3) (b), 939.50 (3) (bc),
18 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.62 (2m) (b), 940.20 (2m) (title),
19 940.20 (2m) (a) 2., 940.20 (2m) (b), 942.06 (2m) (a), 942.06 (2q) (a) (intro.),
20 946.42 (1) (a), 946.46, 946.85 (1), 950.045, 961.41 (1) (a), 961.41 (1) (b), 961.41
21 (1) (cm) 1., 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (cm)
22 5., 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41
23 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3.,
24 961.41 (1) (e) 4., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (f) 1., 961.41 (1) (f)
25 2., 961.41 (1) (f) 3., 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1)

1 (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m)
2 (a), 961.41 (1m) (b), 961.41 (1m) (cm) 1., 961.41 (1m) (cm) 2., 961.41 (1m) (cm)
3 3., 961.41 (1m) (cm) 4., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 1., 961.41 (1m) (d)
4 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6.,
5 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41
6 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m)
7 (f) 3., 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h)
8 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41
9 (1n) (c), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (c), 961.41 (2) (d), 961.41 (3g) (a)
10 1., 961.41 (3g) (a) 2., 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.455 (1), 961.49
11 (2) (a), 961.49 (2) (b), 968.31 (1) (intro.), 968.34 (3), 969.01 (4), 971.11 (1), 972.13
12 (6), 972.15 (5) (intro.), 973.013 (1) (b), 973.013 (2), 973.0135 (2) (intro.), 973.014
13 (title), 973.014 (1) (intro.), 973.014 (1) (c), 973.014 (2), 973.032 (1), 973.10 (1),
14 973.15 (2) (b), 973.15 (6), 973.155 (1) (b), 973.155 (2), 973.155 (5), 973.20 (1r),
15 973.20 (10), 975.10 (1), 976.03 (3), 976.03 (13), 976.03 (22), 976.03 (23) (b),
16 976.03 (27) (a), 976.05 (3) (a), 976.05 (4) (b), 977.05 (6) (h) (intro.), 977.05 (6) (h)
17 1., 977.05 (6) (h) 2., 977.06 (2) (b), 978.07 (1) (c) 1., 980.015 (2) (a), 980.02 (1) (b)
18 2., 980.02 (2) (ag) and 980.02 (4) (am); **to repeal and recreate** 968.43 (3); and
19 **to create** 46.03 (7) (f), 301.03 (14), 301.046 (3t), 301.048 (2) (cm), 301.048 (2m),
20 301.048 (6) (b), 301.35 (2) (bm), 302.045 (2) (cm), 302.045 (3m), 302.11 (1z),
21 302.113, 302.114, 304.02 (6), 972.15 (2c), 973.01 and 973.014 (1g) of the
22 statutes; **relating to:** sentences for felony offenses, parole, extended
23 supervision, granting rule-making authority and providing penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 11.61 (1) (a) of the statutes is amended to read:

2 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07
3 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) may be fined not more than \$10,000
4 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

5 **SECTION 2.** 11.61 (1) (b) of the statutes is amended to read:

6 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
7 or 11.38 where the intentional violation does not involve a specific figure, or where
8 the intentional violation concerns a figure which exceeds \$100 in amount or value
9 may be fined not more than \$10,000 or imprisoned for not more than ~~3~~ 4 years and
10 6 months or both.

11 **SECTION 3.** 12.60 (1) (a) of the statutes is amended to read:

12 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f),
13 (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned for not
14 more than ~~3~~ 4 years ~~in the Wisconsin state prisons~~ and 6 months or both.

15 **SECTION 4.** 13.05 of the statutes is amended to read:

16 **13.05 Logrolling prohibited.** Any member of the legislature who gives,
17 offers or promises to give his or her vote or influence in favor of or against any
18 measure or proposition pending or proposed to be introduced, in the legislature in
19 consideration or upon condition that any other person elected to the same legislature
20 will give or will promise or agree to give his or her vote or influence in favor of or
21 against any other measure or proposition pending or proposed to be introduced in
22 such legislature, or who gives, offers or promises to give his or her vote or influence
23 for or against any measure on condition that any other member will give his or her
24 vote or influence in favor of any change in any other bill pending or proposed to be

1 introduced in the legislature may be fined not less than \$500 nor more than \$1,000
2 or imprisoned for not less than one year nor more than ~~3 4~~ years and 6 months or both.

3 **SECTION 5.** 13.06 of the statutes, as affected by 1997 Wisconsin Act 35, is
4 amended to read:

5 **13.06 Executive favor.** Any member of the legislature who gives, offers or
6 promises to give his or her vote or influence in favor of or against any measure or
7 proposition pending or proposed to be introduced in the legislature, or that has
8 already been passed by either house of the legislature, in consideration of or on
9 condition that the governor approve, disapprove, veto or sign, or agree to approve,
10 disapprove, veto or sign, any other measure or proposition pending or proposed to be
11 introduced in the legislature or that has already been passed by the legislature, or
12 either house thereof, or in consideration or upon condition that the governor
13 nominate for appointment or appoint or remove any person to or from any office or
14 position under the laws of this state, may be fined not less than \$500 nor more than
15 \$1,000 or imprisoned for not less than one year nor more than ~~2 3~~ years or both.

16 **SECTION 6.** 13.69 (6m) of the statutes is amended to read:

17 13.69 (6m) Any principal, lobbyist or other individual acting on behalf of a
18 principal who files a statement under s. 13.63 (1), 13.64, 13.65 or 13.68 which he or
19 she does not believe to be true may be fined not more than \$10,000 or imprisoned for
20 not more than ~~5 7~~ years and 6 months or both.

21 **SECTION 7.** 19.85 (1) (d) of the statutes is amended to read:

22 19.85 (1) (d) Except as provided by rule promulgated under s. 304.06 (1) (em),
23 considering specific applications of probation, extended supervision or parole, or
24 considering strategy for crime detection or prevention.

1 **SECTION 8.** 20.410 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is amended to read:

3 20.410 (1) (b) *Services for community corrections.* The amounts in the schedule
4 to provide services related to probation, extended supervision and parole, the
5 intensive sanctions program under s. 301.048, the community residential
6 confinement program under s. 301.046, programs of intensive supervision of adult
7 offenders and minimum security correctional institutions established under s.
8 301.13. No payments may be made under this paragraph for payments in accordance
9 with other states party to the interstate corrections compact under s. 302.25.

10 **SECTION 9.** 20.410 (1) (bn) of the statutes is amended to read:

11 20.410 (1) (bn) (title) *Reimbursing counties for probation, extended supervision*
12 *and parole holds.* The amounts in the schedule for payments to counties under s.
13 302.33 (2) (a) for costs relating to maintaining persons in custody pending the
14 disposition of their parole, extended supervision or probation revocation
15 proceedings.

16 **SECTION 10.** 20.410 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
17 is amended to read:

18 20.410 (1) (d) *Purchased services for offenders.* The amounts in the schedule
19 for the purchase of goods, care and services, including community-based residential
20 care, authorized under s. 301.08 (1) (b) 1., for inmates, probationers and, parolees
21 and persons on extended supervision. In addition, funds from this appropriation
22 shall be used to reimburse programs under s. 38.04 (12).

23 **SECTION 11.** 20.410 (1) (g) of the statutes is amended to read:

24 20.410 (1) (g) (title) *Loan fund for persons on probation, extended supervision*
25 *or parole.* The amounts in the schedule for the purposes specified in ss. 301.32 (3)

1 and 304.075. All moneys received belonging to absconding probationers and,
2 parolees, and persons on extended supervision under ss. 301.32 (3) and 304.075 shall
3 be credited to this appropriation.

4 **SECTION 12.** 20.410 (1) (gb) of the statutes is amended to read:

5 20.410 (1) (gb) *Drug testing.* All moneys received from probation, extended
6 supervision and parole clients who are required to pay for their drug testing, as
7 prescribed by rule in accordance with s. 301.03 (3), for expenditures related to the
8 drug testing program for probationers and, parolees and persons on extended
9 supervision under s. 301.03 (3).

10 **SECTION 13.** 20.410 (1) (gc) of the statutes is amended to read:

11 20.410 (1) (gc) *Sex offender honesty testing.* All moneys received from
12 probation, extended supervision and parole clients who are required to pay for
13 polygraph examinations, as prescribed by rule in accordance with s. 301.132 (3), for
14 expenditures related to the lie detector test program for probationers, extended
15 supervision and parolees under s. 301.132.

16 **SECTION 14.** 20.410 (1) (ge) of the statutes, as affected by 1997 Wisconsin Act
17 27, is amended to read:

18 20.410 (1) (ge) *Administrative and minimum supervision.* The amounts in the
19 schedule for the supervision of probationers and, parolees and persons on extended
20 supervision under minimum or administrative supervision and for the department's
21 costs associated with contracts under s. 301.08 (1) (c) 2. All moneys received from
22 vendors under s. 301.08 (1) (c) 4. and from fees charged under s. 304.073 (2) shall be
23 credited to this appropriation account.

24 **SECTION 15.** 20.410 (1) (gf) of the statutes, as affected by 1997 Wisconsin Act
25 27, is amended to read:

1 20.410 (1) (gf) (title) *Probation ~~and~~, parole and extended supervision*. The
2 amounts in the schedule for probation ~~and~~, parole and extended supervision. All
3 moneys received from fees charged under s. 304.074 (2) shall be credited to this
4 appropriation account.

5 **SECTION 16.** 23.33 (13) (cg) of the statutes is amended to read:

6 23.33 (13) (cg) *Penalties related to causing death or injury; interference with*
7 *signs and standards*. A person who violates sub. (8) (f) 1. shall be fined not more than
8 \$10,000 or imprisoned for not more than 2 3 years or both if the violation causes the
9 death or injury, as defined in s. 30.67 (3) (b), of another person.

10 **SECTION 17.** 26.14 (8) of the statutes is amended to read:

11 26.14 (8) Any person who intentionally sets fire to the land of another or to a
12 marsh shall be fined not more than \$10,000 or imprisoned for not more than 5 7 years
13 and 6 months or both.

14 **SECTION 18.** 29.99 (1) (c) of the statutes is amended to read:

15 29.99 (1) (c) For having fish in his or her possession in violation of this chapter
16 or rules promulgated under it and the value of the fish under par. (d) exceeds \$1,000,
17 by a fine of not more than \$10,000 or imprisonment for not more than 2 3 years or
18 both.

19 **SECTION 19.** 29.99 (1m) (c) of the statutes is amended to read:

20 29.99 (1m) (c) For possessing clams in violation of s. 29.38 or rules adopted
21 thereunder, if the value of the clams under par. (d) exceeds \$1,000, by a fine of not
22 more than \$10,000 or imprisonment for not more than 2 3 years or both.

23 **SECTION 20.** 29.99 (11m) (a) of the statutes, as affected by 1997 Wisconsin Act

24 1, is amended to read:

1 29.99 (11m) (a) For shooting, shooting at, killing, taking, catching or
2 possessing a bear without a valid Class A bear license, or for possessing a bear which
3 does not have a carcass tag attached or possessing a bear during the closed season,
4 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not
5 more than 6 months or both for the first violation, or by a fine of not more than \$5,000
6 or imprisonment for not more than ~~one year~~ 2 years or both for any subsequent
7 violation, and, in addition, the court shall revoke all hunting approvals issued to the
8 person under this chapter and shall prohibit the issuance of any new hunting
9 approval under this chapter to the person for 3 years.

10 **SECTION 21.** 29.99 (11p) (a) of the statutes is amended to read:

11 29.99 (11p) (a) For entering the den of a hibernating black bear and harming
12 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~one~~
13 ~~year~~ 2 years or both.

14 **SECTION 22.** 30.547 of the statutes is amended to read:

15 **30.547 Penalty.** Any person who intentionally falsifies an application for a
16 certificate of title or a certificate of title issued under s. 30.537 (1) or 30.541 (4) or who
17 intentionally alters a hull identification number or engine serial number shall be
18 fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months
19 or both.

20 **SECTION 23.** 30.80 (2g) (b) of the statutes is amended to read:

21 30.80 (2g) (b) Shall be fined not less than \$300 nor more than \$5,000 or
22 imprisoned for not more than ~~one year~~ 2 years or both if the accident involved injury
23 to a person but the person did not suffer great bodily harm.

24 **SECTION 24.** 30.80 (2g) (c) of the statutes is amended to read:

1 30.80 **(2g)** (c) Shall be fined not more than \$10,000 or imprisoned for not more
2 than ~~2~~ 3 years or both if the accident involved injury to a person and the person
3 suffered great bodily harm.

4 **SECTION 25.** 30.80 (2g) (d) of the statutes is amended to read:

5 30.80 **(2g)** (d) Shall be fined not more than \$10,000 or imprisoned for not more
6 than ~~5~~ 7 years and 6 months or both if the accident involved death to a person.

7 **SECTION 26.** 36.25 (6) (d) of the statutes is amended to read:

8 36.25 **(6)** (d) Any officer, agent, clerk or employe of the survey or department
9 of revenue who makes known to any person except the officers of the survey or
10 department of revenue, in any manner, any information given to such person in the
11 discharge of such person's duties under par. (c), which information was given to such
12 person with the request that it not be made known, upon conviction thereof, shall be
13 fined not less than \$50 nor more than \$500, or imprisoned ~~in the county jail~~ for not
14 less than one month nor more than ~~6 months, or imprisoned in the Wisconsin state~~
15 ~~prisons for not more than 2~~ 3 years. This paragraph shall not prevent the use for
16 assessment purposes of any information obtained under this subsection.

17 **SECTION 27.** 46.03 (7) (f) of the statutes is created to read:

18 46.03 **(7)** (f) As part of its biennial budget request under s. 16.42, submit a
19 request for funding for child abuse prevention efforts in an amount equal to or
20 greater than 1% of the total proposed budget of the department of corrections for the
21 same biennium, as indicated by the estimate provided by the department of
22 corrections under s. 301.03 (14).

23 **SECTION 28.** 46.21 (1) (d) of the statutes, as affected by 1997 Wisconsin Acts 27
24 and ... (Senate Bill 384), is amended to read:

1 46.21 (1) (d) “Human services” means the total range of services to people,
2 including mental illness treatment, developmental disabilities services, physical
3 disabilities services, relief funded by a relief block grant under ch. 49, income
4 maintenance, youth probation, extended supervision and parole services, alcohol
5 and drug abuse services, services to children, youth and families, family counseling,
6 early intervention services for children from birth to the age of 3 and manpower
7 services. “Human services” does not include child welfare services under s. 48.48 (17)
8 administered by the department in a county having a population of 500,000 or more.

9 **SECTION 29.** 46.23 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
10 (Senate Bill 384), is amended to read:

11 46.23 (2) (a) “Human services” means the total range of services to people
12 including, but not limited to, health care, mental illness treatment, developmental
13 disabilities services, relief funded by a block grant under ch. 49, income
14 maintenance, probation, extended supervision and parole services, alcohol and drug
15 abuse services, services to children, youth and aging, family counseling, special
16 education services and manpower services.

17 **SECTION 30.** 46.48 (8) (d) 1. of the statutes is amended to read:

18 46.48 (8) (d) 1. The use of liaisons to meet with prospective program
19 participants to provide information about the program and to assist program
20 participants, prior to their release on extended supervision or parole, in planning for
21 and obtaining the housing, employment, education and treatment that they will
22 need upon release.

23 **SECTION 31.** 47.03 (3) (d) of the statutes is amended to read:

24 47.03 (3) (d) Any person who violates this subsection shall be fined not more
25 than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

1 **SECTION 32.** 48.78 (2) (d) 5. of the statutes is amended to read:

2 48.78 (2) (d) 5. On parole under s. 302.11 or ch. 304 or on extended supervision
3 under s. 302.113 or 302.114.

4 **SECTION 33.** 49.124 (6) of the statutes, as created by 1997 Wisconsin Act 27, is
5 amended to read:

6 49.124 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the food
7 stamp program in a month in which that person is a fugitive felon under 7 USC 2015
8 (k) (1) or is violating a condition of probation, extended supervision or parole imposed
9 by a state or federal court.

10 **SECTION 34.** 49.127 (8) (a) 2. of the statutes, as affected by 1997 Wisconsin Act
11 27, is amended to read:

12 49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than
13 \$5,000, a person who violates this section may be fined not more than \$10,000 or
14 imprisoned for not more than ~~5~~ 7 years and 6 months or both.

15 **SECTION 35.** 49.127 (8) (b) 2. of the statutes, as affected by 1997 Wisconsin Act
16 27, is amended to read:

17 49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
18 \$5,000, a person who violates this section may be fined not more than \$10,000 or
19 imprisoned for not more than ~~5~~ 7 years and 6 months or both.

20 **SECTION 36.** 49.127 (8) (c) of the statutes, as created by 1997 Wisconsin Act 27,
21 is amended to read:

22 49.127 (8) (c) For any offense under this section, if the value of the food coupons
23 is \$5,000 or more, a person who violates this section may be fined not more than
24 \$250,000 or imprisoned for not more than ~~20~~ 30 years or both.

25 **SECTION 37.** 49.141 (7) (a) of the statutes is amended to read:

1 49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with
2 the furnishing by that person of items or services for which payment is or may be
3 made under Wisconsin works may be fined not more than \$25,000 or imprisoned for
4 not more than ~~5~~ 7 years and 6 months or both.

5 **SECTION 38.** 49.141 (7) (b) of the statutes is amended to read:

6 49.141 (7) (b) A person, other than a person under par. (a), who is convicted of
7 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than
8 ~~one year~~ 2 years or both.

9 **SECTION 39.** 49.141 (9) (a) of the statutes is amended to read:

10 49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,
11 in return for referring an individual to a person for the furnishing or arranging for
12 the furnishing of any item or service for which payment may be made in whole or in
13 part under Wisconsin works, or in return for purchasing, leasing, ordering, or
14 arranging for or recommending purchasing, leasing, or ordering any good, facility,
15 service, or item for which payment may be made in whole or in part under Wisconsin
16 works, may be fined not more than \$25,000 or imprisoned for not more than ~~5~~ 7 years
17 and 6 months or both.

18 **SECTION 40.** 49.141 (9) (b) of the statutes is amended to read:

19 49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to
20 any person to induce the person to refer an individual to a person for the furnishing
21 or arranging for the furnishing of any item or service for which payment may be made
22 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange
23 for or recommend purchasing, leasing, or ordering any good, facility, service or item
24 for which payment may be made in whole or in part under any provision of Wisconsin

1 works, may be fined not more than \$25,000 or imprisoned for not more than 5 7 years
2 and 6 months or both.

3 **SECTION 41.** 49.141 (10) (b) of the statutes is amended to read:

4 49.141 (10) (b) A person who violates this subsection may be fined not more
5 than \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

6 **SECTION 42.** 49.145 (2) (rm) of the statutes, as created by 1997 Wisconsin Act
7 27, is amended to read:

8 49.145 (2) (rm) The individual is not violating a condition of probation,
9 extended supervision or parole imposed under federal or state law.

10 **SECTION 43.** 49.32 (10) (a) 2. a. of the statutes, as affected by 1997 Wisconsin
11 Act 27, is amended to read:

12 49.32 (10) (a) 2. a. That the recipient or participant is a fugitive felon under 42
13 USC 608 (a) (9), is violating a condition of probation, extended supervision or parole
14 imposed under state or federal law or has information that is necessary for the officer
15 to conduct the official duties of the officer.

16 **SECTION 44.** 49.49 (1) (b) 1. of the statutes is amended to read:

17 49.49 (1) (b) 1. In the case of such a statement, representation, concealment,
18 failure, or conversion by any person in connection with the furnishing by that person
19 of items or services for which medical assistance is or may be made, a person
20 convicted of violating this subsection may be fined not more than \$25,000 or
21 imprisoned for not more than 5 7 years and 6 months or both.

22 **SECTION 45.** 49.49 (2) (a) of the statutes is amended to read:

23 49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits
24 or receives any remuneration, including any kickback, bribe, or rebate, directly or
25 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual

1 to a person for the furnishing or arranging for the furnishing of any item or service
2 for which payment may be made in whole or in part under a medical assistance
3 program, or in return for purchasing, leasing, ordering, or arranging for or
4 recommending purchasing, leasing, or ordering any good, facility, service, or item for
5 which payment may be made in whole or in part under a medical assistance program,
6 may be fined not more than \$25,000 or imprisoned for not more than ~~5~~ 7 years and
7 6 months or both.

8 **SECTION 46.** 49.49 (2) (b) of the statutes is amended to read:

9 49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any
10 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly
11 or covertly, in cash or in kind to any person to induce such person to refer an
12 individual to a person for the furnishing or arranging for the furnishing of any item
13 or service for which payment may be made in whole or in part under a medical
14 assistance program, or to purchase, lease, order, or arrange for or recommend
15 purchasing, leasing, or ordering any good, facility, service or item for which payment
16 may be made in whole or in part under a medical assistance program, may be fined
17 not more than \$25,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or
18 both.

19 **SECTION 47.** 49.49 (3) of the statutes is amended to read:

20 49.49 (3) **FRAUDULENT CERTIFICATION OF FACILITIES.** No person may knowingly
21 and wilfully make or cause to be made, or induce or seek to induce the making of, any
22 false statement or representation of a material fact with respect to the conditions or
23 operation of any institution or facility in order that such institution or facility may
24 qualify either upon initial certification or upon recertification as a hospital, skilled
25 nursing facility, intermediate care facility, or home health agency. Violators of this

1 subsection may be fined not more than \$25,000 or imprisoned for not more than 5 7
2 years and 6 months or both.

3 **SECTION 48.** 49.49 (3m) (b) of the statutes is amended to read:

4 49.49 (3m) (b) A person who violates this subsection may be fined not more
5 than \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

6 **SECTION 49.** 49.49 (4) (b) of the statutes is amended to read:

7 49.49 (4) (b) A person who violates this subsection may be fined not more than
8 \$25,000 or imprisoned for not more than 5 7 years and 6 months or both.

9 **SECTION 50.** 49.95 (1) of the statutes is amended to read:

10 49.95 (1) Any person who, with intent to secure public assistance under this
11 chapter, whether for himself or herself or for some other person, wilfully makes any
12 false representations may, if the value of the assistance so secured does not exceed
13 \$300, be required to forfeit not more than \$1,000; if the value of the assistance
14 exceeds \$300 but does not exceed \$1,000, be fined not more than \$250 or imprisoned
15 for not more than 6 months or both; if the value of the assistance exceeds \$1,000 but
16 does not exceed \$2,500, be fined not more than \$500 or imprisoned for not more than
17 5 7 years and 6 months or both; and if the value of the assistance exceeds \$2,500, be
18 punished as prescribed under s. 943.20 (3) (c).

19 **SECTION 51.** 51.15 (1) (b) 2. of the statutes is amended to read:

20 51.15 (1) (b) 2. A specific recent overt act or attempt or threat to act or omission
21 by the individual which is reliably reported to the officer or person by any other
22 person, including any probation, extended supervision and parole agent authorized
23 by the department of corrections to exercise control and supervision over a
24 probationer ~~or~~, parolee or person on extended supervision.

25 **SECTION 52.** 51.15 (12) of the statutes is amended to read:

1 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
2 knowing the information contained therein to be false may be fined not more than
3 \$5,000 or imprisoned for not more than ~~5~~ 7 years, and 6 months or both.

4 **SECTION 53.** 51.20 (1) (ar) (intro.) of the statutes is amended to read:

5 51.20 (1) (ar) (intro.) If the individual is an inmate of a state prison, the petition
6 may allege that the inmate is mentally ill, is a proper subject for treatment and is
7 in need of treatment. The petition shall allege that appropriate less restrictive forms
8 of treatment have been attempted with the individual and have been unsuccessful
9 and it shall include a description of the less restrictive forms of treatment that were
10 attempted. The petition shall also allege that the individual has been fully informed
11 about his or her treatment needs, the mental health services available to him or her
12 and his or her rights under this chapter and that the individual has had an
13 opportunity to discuss his or her needs, the services available to him or her and his
14 or her rights with a licensed physician or a licensed psychologist. The petition shall
15 include the inmate's sentence and his or her expected date of release as determined
16 under s. 302.11 or 302.113, whichever is applicable. The petition shall have attached
17 to it a signed statement by a licensed physician or a licensed psychologist of a state
18 prison and a signed statement by a licensed physician or a licensed psychologist of
19 a state treatment facility attesting either of the following:

20 **SECTION 54.** 51.20 (13) (g) 2m. of the statutes is amended to read:

21 51.20 (13) (g) 2m. In addition to the provisions under subds. 1., 2. and 2g., no
22 commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's date
23 of release on parole or extended supervision, as determined under s. 302.11 or
24 302.113, whichever is applicable.

25 **SECTION 55.** 51.30 (4) (b) 10. (intro.) of the statutes is amended to read:

1 51.30 (4) (b) 10. (intro.) To a correctional facility or to a probation, extended
2 supervision and parole agent who is responsible for the supervision of an individual
3 who is receiving inpatient or outpatient evaluation or treatment under this chapter
4 in a program that is operated by, or is under contract with, the department or a
5 county department under s. 51.42 or 51.437, or in a treatment facility, as a condition
6 of the probation, extended supervision and parole supervision plan, or whenever
7 such an individual is transferred from a state or local correctional facility to such a
8 treatment program and is then transferred back to the correctional facility. Every
9 probationer ~~or~~, parolee or person on extended supervision who receives evaluation
10 or treatment under this chapter shall be notified of the provisions of this subdivision
11 by the individual's probation, extended supervision and parole agent. Release of
12 records under this subdivision is limited to:

13 **SECTION 56.** 51.30 (4) (b) 10. a. of the statutes is amended to read:

14 51.30 (4) (b) 10. a. The report of an evaluation which is provided pursuant to
15 the written probation, extended supervision and parole supervision plan.

16 **SECTION 57.** 51.30 (4) (b) 10. b. of the statutes is amended to read:

17 51.30 (4) (b) 10. b. The discharge summary, including a record or summary of
18 all somatic treatments, at the termination of any treatment which is provided as part
19 of the probation, extended supervision and parole supervision plan.

20 **SECTION 58.** 51.30 (4) (b) 10. d. of the statutes is amended to read:

21 51.30 (4) (b) 10. d. Any information necessary to establish, or to implement
22 changes in, the individual's treatment plan or the level and kind of supervision on
23 probation, extended supervision or parole, as determined by the director of the
24 facility or the treatment director. In cases involving a person transferred back to a
25 correctional facility, disclosure shall be made to clinical staff only. In cases involving

1 a person on probation, extended supervision or parole, disclosure shall be made to
2 a probation, extended supervision and parole agent only. The department shall
3 promulgate rules governing the release of records under this subdivision.

4 **SECTION 59.** 51.37 (8) (a) of the statutes is amended to read:

5 51.37 (8) (a) Rights to reexamination under s. 51.20 (16) apply to a prisoner or
6 inmate who is found to be mentally ill or drug dependent except that the petition
7 shall be made to the court that made the finding or, if the prisoner or inmate is
8 detained by transfer, to the circuit court of the county in which he or she is detained.
9 If upon rehearing it is found that the standards for recommitment under s. 51.20 (13)
10 (g) no longer apply to the prisoner or inmate or that he or she is not in need of
11 psychiatric or psychological treatment, the prisoner or inmate shall be returned to
12 the prison or county jail or house of correction unless it is past his or her release date
13 as determined under s. 302.11 or 302.113, whichever is applicable, in which case he
14 or she shall be discharged.

15 **SECTION 60.** 51.37 (8) (b) of the statutes is amended to read:

16 51.37 (8) (b) If the condition of any prisoner or inmate committed or transferred
17 under this section requires psychiatric or psychological treatment after his or her
18 date of release as determined under s. 302.11 or 302.113, whichever is applicable, the
19 director of the state treatment facility shall, within a reasonable time before the
20 release date of the prisoner or inmate, make a written application to the court which
21 committed the prisoner or inmate under sub. (5) (a). Thereupon, the proceeding shall
22 be upon application made under s. 51.20, but no physician or psychologist who is
23 connected with a state prison, Winnebago or Mendota mental health institute or any
24 county jail or house of correction may be appointed as an examiner. If the court does
25 not commit the prisoner or inmate, it may dismiss the application and order the

1 prisoner or inmate returned to the institution from which he or she was transferred
2 until the release date of the prisoner or inmate. If the court commits the prisoner or
3 inmate for the period commencing upon his or her release date, the commitment
4 shall be to the care and custody of the county department under s. 51.42 or 51.437.

5 **SECTION 61.** 51.37 (11) of the statutes is amended to read:

6 51.37 (11) When an individual who is in the custody of or under the supervision
7 of a correctional officer of the department of corrections is transferred, discharged
8 or is on unauthorized absence from a treatment facility, the probation, extended
9 supervision and parole agent or other individual within the department of
10 corrections who is responsible for that individual's supervision shall be notified as
11 soon as possible by the director of the treatment facility.

12 **SECTION 62.** 55.06 (11) (am) of the statutes is amended to read:

13 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the
14 information contained therein to be false may be fined not more than \$5,000 or
15 imprisoned for not more than 5 7 years, and 6 months or both.

16 **SECTION 63.** 66.4025 (1) (b) of the statutes is amended to read:

17 66.4025 (1) (b) Any person who secures or assists in securing dwelling
18 accommodations under s. 66.402 by intentionally making false representations in
19 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for
20 which the person would not otherwise be entitled shall be fined not more than
21 \$10,000 or imprisoned for not more than 2 3 years or both.

22 **SECTION 64.** 66.4025 (1) (c) of the statutes is amended to read:

23 66.4025 (1) (c) Any person who secures or assists in securing dwelling
24 accommodations under s. 66.402 by intentionally making false representations in
25 order to receive more than \$25,000 in financial assistance for which the person would

1 not otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not
2 more than ~~5~~ 7 years and 6 months or both.

3 **SECTION 65.** 69.24 (1) (intro.) of the statutes is amended to read:

4 69.24 (1) (intro.) Any person who does any of the following shall be fined not
5 more than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both:

6 **SECTION 66.** 70.47 (18) (a) of the statutes is amended to read:

7 70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,
8 removes or conceals any of the items specified under subs. (8) (f) and (17) may be fined
9 not more than \$1,000 or imprisoned for not more than ~~2~~ 3 years or both.

10 **SECTION 67.** 71.83 (2) (b) of the statutes is amended to read:

11 71.83 (2) (b) *Felony*. 1. 'False income tax return; fraud.' Any person, other than
12 a corporation or limited liability company, who renders a false or fraudulent income
13 tax return with intent to defeat or evade any assessment required by this chapter
14 shall be guilty of a felony and may be fined not ~~to exceed~~ more than \$10,000 or
15 imprisoned for not ~~to exceed~~ 5 more than 7 years and 6 months or both, together with
16 the cost of prosecution. In this subdivision, "return" includes a separate return filed
17 by a spouse with respect to a taxable year for which a joint return is filed under s.
18 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
19 the spouses with respect to a taxable year for which a separate return is filed under
20 s. 71.03 (2) (m) after the filing of that joint return.

21 2. 'Officer of a corporation; false franchise or income tax return.' Any officer
22 of a corporation or manager of a limited liability company required by law to make,
23 render, sign or verify any franchise or income tax return, who makes any false or
24 fraudulent franchise or income tax return, with intent to defeat or evade any
25 assessment required by this chapter shall be guilty of a felony and may be fined not

1 ~~to exceed~~ more than \$10,000 or imprisoned for not ~~to exceed 5~~ more than 7 years and
2 6 months or both, together with the cost of prosecution.

3 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
4 depositing or concealing any property upon which a levy is authorized with intent
5 to evade or defeat the assessment or collection of any tax administered by the
6 department may be fined not more than \$5,000 or imprisoned for not more than ~~3 4~~
7 years and 6 months or both, together with the costs of prosecution.

8 4. 'Fraudulent claim for credit.' The claimant who filed a claim for credit under
9 s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was filed
10 with fraudulent intent and any person who assisted in the preparation or filing of the
11 false or excessive claim or supplied information upon which the false or excessive
12 claim was prepared, with fraudulent intent, may be fined not ~~to exceed more than~~
13 \$10,000 or imprisoned for not ~~to exceed 5~~ more than 7 years and 6 months or both,
14 together with the cost of prosecution.

15 **SECTION 68.** 86.192 (4) of the statutes is amended to read:

16 86.192 (4) Any person who violates this section shall be fined ~~up to~~ not more
17 than \$10,000 or imprisoned for not more than ~~2 3~~ years, or both ~~fin~~ ~~ed and impr~~ ~~isoned~~,
18 if the injury, defacement or removal causes the death of a person.

19 **SECTION 69.** 97.43 (4) of the statutes is amended to read:

20 97.43 (4) Whoever violates this section may be fined not less than \$500 nor
21 more than \$5,000 or imprisoned for not more than ~~5 7~~ years and 6 months or both.

22 **SECTION 70.** 97.45 (2) of the statutes is amended to read:

23 97.45 (2) Whoever violates this section may be fined not less than \$500 nor
24 more than \$5,000 or imprisoned for not more than ~~5 7~~ years, and 6 months or both.

25 **SECTION 71.** 100.26 (2) of the statutes is amended to read:

1 100.26 (2) Any person violating s. 100.02 shall be ~~guilty of a felony and upon~~
2 ~~conviction shall be punished by a fine of~~ fined not less than ~~fifty dollars~~ \$50 nor more
3 than ~~three thousand dollars, \$3,000~~ or by ~~imprisonment~~ imprisoned for not less than
4 ~~thirty~~ 30 days nor more than ~~three~~ 4 years, ~~and 6 months~~ or both.

5 **SECTION 72.** 100.26 (5) of the statutes is amended to read:

6 100.26 (5) Any person violating s. 100.06 or any order or regulation of the
7 department thereunder, or s. 100.18 (9), shall be fined not less than \$100 nor more
8 than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both. Each day of
9 violation constitutes a separate offense.

10 **SECTION 73.** 100.26 (7) of the statutes is amended to read:

11 100.26 (7) Any person violating s. 100.182 shall be fined not less than \$500 nor
12 more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both for each
13 offense. Each unlawful advertisement published, printed or mailed on separate days
14 or in separate publications, hand bills or direct mailings is a separate violation of this
15 section.

16 **SECTION 74.** 101.143 (10) (b) of the statutes is amended to read:

17 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
18 or service provider who intentionally destroys a document that is relevant to a claim
19 for reimbursement under this section may be fined not more than \$10,000 or
20 imprisoned for not more than ~~10~~ 15 years or both.

21 **SECTION 75.** 101.94 (8) (b) of the statutes is amended to read:

22 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
23 knowingly and wilfully violates this subchapter in a manner which threatens the
24 health or safety of a purchaser shall be fined not more than \$1,000 or imprisoned for
25 not more than ~~one year~~ 2 years or both.

1 **SECTION 76.** 102.835 (11) of the statutes is amended to read:

2 102.835 **(11)** EVASION. Any person who removes, deposits or conceals or aids in
3 removing, depositing or concealing any property upon which a levy is authorized
4 under this section with intent to evade or defeat the assessment or collection of any
5 debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ 4 years
6 and 6 months or both, and shall be liable to the state for the costs of prosecution.

7 **SECTION 77.** 102.835 (18) of the statutes is amended to read:

8 102.835 **(18)** RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
9 employer may discharge or otherwise discriminate with respect to the terms and
10 conditions of employment against any employe by reason of the fact that his or her
11 earnings have been subject to levy for any one levy or because of compliance with any
12 provision of this section. Whoever wilfully violates this subsection may be fined not
13 more than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

14 **SECTION 78.** 102.85 (3) of the statutes is amended to read:

15 102.85 **(3)** An employer who violates an order to cease operations under s.
16 102.28 (4) may be fined not more than \$10,000 or imprisoned for not more than ~~2~~ 3
17 years or both.

18 **SECTION 79.** 106.215 (8g) (b) of the statutes is amended to read:

19 106.215 **(8g)** (b) If the department of corrections is a sponsor of a project that
20 is approved under this subsection, the corps members on the project shall be
21 prisoners in state prison, probationers ~~or~~, parolees or persons on extended
22 supervision and the members of the project shall receive applicable alcohol or other
23 drug abuse treatment and educational programming services for a portion of each
24 work week, but not to exceed 8 hours per work week.

25 **SECTION 80.** 108.225 (11) of the statutes is amended to read:

1 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
2 removing, depositing or concealing any property upon which a levy is authorized
3 under this section with intent to evade or defeat the assessment or collection of any
4 debt may be fined not more than \$5,000 or imprisoned for not more than ~~3~~ 4 years
5 and 6 months or both, and shall be liable to the state for the costs of prosecution.

6 **SECTION 81.** 108.225 (18) of the statutes is amended to read:

7 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
8 employer may discharge or otherwise discriminate with respect to the terms and
9 conditions of employment against any employe by reason of the fact that his or her
10 earnings have been subject to levy for any one levy or because of compliance with any
11 provision of this section. Whoever wilfully violates this subsection may be fined not
12 more than \$1,000 or imprisoned for not more than ~~one year~~ 2 years or both.

13 **SECTION 82.** 111.32 (3) of the statutes is amended to read:

14 111.32 (3) "Conviction record" includes, but is not limited to, information
15 indicating that an individual has been convicted of any felony, misdemeanor or other
16 offense, has been adjudicated delinquent, has been less than honorably discharged,
17 or has been placed on probation, fined, imprisoned, placed on extended supervision
18 or paroled pursuant to any law enforcement or military authority.

19 **SECTION 83.** 114.20 (18) (c) of the statutes is amended to read:

20 114.20 (18) (c) Any person who knowingly makes a false statement in any
21 application or in any other document required to be filed with the department,
22 foregoes the submission of any application, document, or any registration certificate
23 or transfer shall be fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7
24 years and 6 months or both.

25 **SECTION 84.** 125.075 (2) of the statutes is amended to read:

1 125.075 (2) Whoever violates sub. (1) may be fined not more than \$10,000 or
2 imprisoned for not more than ~~5~~ 7 years ~~and 6 months~~ or both.

3 **SECTION 85.** 125.085 (3) (a) 2. of the statutes is amended to read:

4 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
5 consideration may be fined not more than \$10,000 or imprisoned for not more than
6 ~~2~~ 3 years or both.

7 **SECTION 86.** 125.105 (2) (b) of the statutes is amended to read:

8 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
9 a crime may be fined not more than \$10,000 or imprisoned for not more than ~~5~~ 7 years
10 ~~and 6 months~~ or both.

11 **SECTION 87.** 125.66 (3) of the statutes is amended to read:

12 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
13 holding appropriate permits under this chapter, or any person who sells such liquor,
14 shall be fined not more than \$10,000 or imprisoned for not more than ~~10~~ 15 years or
15 both. Second or subsequent convictions shall be punished by both the fine and
16 imprisonment.

17 **SECTION 88.** 125.68 (12) (b) of the statutes is amended to read:

18 125.68 (12) (b) Whoever violates par. (a) shall be fined not less than \$1,000 nor
19 more than \$5,000 or imprisoned ~~for~~ not less than one year nor more than ~~10~~ 15 years
20 or both.

21 **SECTION 89.** 125.68 (12) (c) of the statutes is amended to read:

22 125.68 (12) (c) Any person causing the death of another human being through
23 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
24 or alcohol or alcoholic liquid redistilled from denatured alcohol, shall be imprisoned
25 for not more than ~~10~~ 15 years.

1 **SECTION 90.** 132.13 (1) (a) of the statutes is amended to read:

2 132.13 (1) (a) All goods, wares, and merchandise made wholly or in part by
3 convict labor in any penitentiary, prison, reformatory or other establishment in
4 which convict labor is employed except convicts or prisoners on parole, extended
5 supervision or probation, shall before being exposed for sale be branded, labeled,
6 marked or tagged as herein provided and shall not be exposed for sale or sold in this
7 state without such brand, label, mark or tag. Such brand, label, mark or tag shall
8 contain at the head or top thereof the words "convict-made" followed by the name of
9 the penitentiary, prison, or other establishment in which it was made in plain
10 English lettering of the style and size known as eighteen point Cheltenham bold type
11 capitals. The brand or mark shall in all cases where the nature of the articles will
12 permit be placed on each individual article or part of such article that is sold, and only
13 where such branding or marking is impossible shall a label or tag be used and where
14 a label is used it shall be securely pasted onto each such article and when a tag is used
15 it shall be a paper tag securely fastened to such article or part of article sold. In
16 addition to the marking of each article or part of article sold a similar brand, mark,
17 label or tag shall be placed upon the outside or upon its box, crate, or other covering.
18 All brands, labels, marks, and tags shall be placed on a conspicuous part of such
19 article or part of article and its container.

20 **SECTION 91.** 132.20 (2) of the statutes is amended to read:

21 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
22 in this state in a counterfeit mark or in any goods or service bearing or provided
23 under a counterfeit mark shall, if the person is an individual, be fined not more than
24 \$250,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both, or, if the
25 person is not an individual, be fined not more than \$1,000,000.

1 **SECTION 92.** 133.03 (1) of the statutes is amended to read:

2 133.03 (1) Every contract, combination in the form of trust or otherwise, or
3 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
4 contract or engages in any combination or conspiracy in restraint of trade or
5 commerce may be fined not more than \$100,000 if a corporation, or, if any other
6 person, may be fined not more than \$50,000, or be imprisoned for not more than 5
7 7 years, and 6 months or both.

8 **SECTION 93.** 133.03 (2) of the statutes is amended to read:

9 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
10 combines or conspires with any other person or persons to monopolize any part of
11 trade or commerce may be fined not more than \$100,000 if a corporation, or, if any
12 other person, may be fined not more than \$50,000, or be imprisoned for not more than
13 5 7 years, and 6 months or both.

14 **SECTION 94.** 134.05 (4) of the statutes is amended to read:

15 134.05 (4) Whoever violates sub. (1), (2) or (3) shall be punished by a fine of not
16 less than \$10 nor more than \$500, or by such fine and by imprisonment for not more
17 than ~~one year~~ 2 years.

18 **SECTION 95.** 134.16 of the statutes is amended to read:

19 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
20 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
21 brokerage or deposit company, corporation or institution, or of any person, company
22 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
23 business in any way, or any person engaged in such business in whole or in part who
24 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
25 money, or any bills, notes or other paper circulating as money, or any notes, drafts,

1 bills of exchange, bank checks or other commercial paper for safekeeping or for
2 collection, when he or she knows or has good reason to know that such bank, company
3 or corporation or that such person is unsafe or insolvent shall be imprisoned in the
4 Wisconsin state prisons for not less than one year nor more than ~~10~~ 15 years ~~nor less~~
5 ~~than one year~~ or fined not more than \$10,000.

6 **SECTION 96.** 134.20 (1) (intro.) of the statutes is amended to read:

7 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
8 shall be fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years, and
9 6 months or both:

10 **SECTION 97.** 134.205 (4) of the statutes is amended to read:

11 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt
12 without entering the same in a register as required by this section shall be fined not
13 more than \$5,000 or imprisoned for not more than ~~5~~ 7 years, and 6 months or both.

14 **SECTION 98.** 134.58 of the statutes is amended to read:

15 **134.58 Use of unauthorized persons as officers.** Any person who,
16 individually, in concert with another or as agent or officer of any firm, joint-stock
17 company or corporation, uses, employs, aids or assists in employing any body of
18 armed persons to act as militia, police or peace officers for the protection of persons
19 or property or for the suppression of strikes, not being authorized by the laws of this
20 state to so act, shall be fined not more than \$1,000 or imprisoned for not less than
21 one year ~~nor~~ more than ~~3~~ 4 years and 6 months or both.

22 **SECTION 99.** 134.74 (7) (b) of the statutes is amended to read:

23 134.74 (7) (b) Whoever intentionally violates this section may be fined not more
24 than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both. A person
25 intentionally violates this section if the violation occurs after the department of

1 agriculture, trade and consumer protection or a district attorney has notified the
2 person by certified mail that the person is in violation of this section.

3 **SECTION 100.** 139.44 (1) of the statutes is amended to read:

4 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
5 any stamp or procures or causes the same to be done, or who knowingly utters,
6 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
7 affixes the same to any package or container of cigarettes, or who possesses with the
8 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
9 have been affixed shall be imprisoned for not less than one year nor more than ~~10~~ 15
10 years.

11 **SECTION 101.** 139.44 (1m) of the statutes is amended to read:

12 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
13 meter in order to evade the tax under s. 139.31 shall be imprisoned for not less than
14 one year nor more than ~~10~~ 15 years.

15 **SECTION 102.** 139.44 (2) of the statutes, as affected by 1997 Wisconsin Act 27,
16 is amended to read:

17 139.44 (2) Any person who makes or signs any false or fraudulent report or who
18 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
19 evasion or attempted evasion of that tax shall be fined not less than \$1,000 nor more
20 than \$5,000 or imprisoned not less than 90 days nor more than ~~one year~~ 2 years or
21 both.

22 **SECTION 103.** 139.44 (8) (c) of the statutes is amended to read:

23 139.44 (8) (c) If the number of cigarettes exceeds 36,000, a fine of not more than
24 \$10,000 or imprisonment for not more than ~~2~~ 3 years or both.

25 **SECTION 104.** 139.95 (2) of the statutes is amended to read:

1 139.95 (2) A dealer who possesses a schedule I controlled substance or schedule
2 II controlled substance that does not bear evidence that the tax under s. 139.88 has
3 been paid may be fined not more than \$10,000 or imprisoned for not more than ~~5~~ 7
4 years and 6 months or both.

5 **SECTION 105.** 139.95 (3) of the statutes is amended to read:

6 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
7 any stamp or procures or causes the same to be done or who knowingly utters,
8 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
9 affixes a counterfeit stamp to a schedule I controlled substance or schedule II
10 controlled substance or who possesses a schedule I controlled substance or schedule
11 II controlled substance to which a false, altered or counterfeit stamp is affixed may
12 be fined not more than \$10,000 or imprisoned for not less than one year nor more
13 than ~~10~~ 15 years or both.

14 **SECTION 106.** 146.345 (3) of the statutes is amended to read:

15 146.345 (3) Any person who violates this section may be fined not more than
16 \$50,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

17 **SECTION 107.** 146.35 (5) of the statutes is amended to read:

18 146.35 (5) Whoever violates sub. (2) may be fined not more than \$10,000 or
19 imprisoned for not more than ~~5~~ 7 years and 6 months or both.

20 **SECTION 108.** 146.60 (9) (am) of the statutes is amended to read:

21 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person shall
22 be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than
23 ~~one year~~ 2 years or both.

24 **SECTION 109.** 146.70 (10) (a) of the statutes is amended to read:

1 146.70 (10) (a) Any person who intentionally dials the telephone number “911”
2 to report an emergency, knowing that the fact situation which he or she reports does
3 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
4 than 90 days or both for the first offense and shall be fined not more than \$10,000
5 or imprisoned for not more than 5 7 years and 6 months or both for any other offense
6 committed within 4 years after the first offense.

7 **SECTION 110.** 154.15 (2) of the statutes is amended to read:

8 154.15 (2) Any person who, with the intent to cause a withholding or
9 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
10 the declarant, illegally falsifies or forges the declaration of another or conceals a
11 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
12 withholds actual knowledge of a revocation under s. 154.05 shall be fined not more
13 than \$10,000 or imprisoned for not more than 10 15 years or both.

14 **SECTION 111.** 154.29 (2) of the statutes is amended to read:

15 154.29 (2) Any person who, with the intent to cause the withholding or
16 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
17 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation
18 under s. 154.21 of a do-not-resuscitate order or any responsible person who
19 withholds personal knowledge of a revocation under s. 154.21 shall be fined not more
20 than \$10,000 or imprisoned for not more than 10 15 years or both.

21 **SECTION 112.** 165.76 (1) (a) of the statutes is amended to read:

22 165.76 (1) (a) Is in prison or a secured correctional facility, as defined in s.
23 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on
24 probation, extended supervision, parole, supervision or aftercare supervision on or

1 after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or
2 948.025.

3 **SECTION 113.** 165.76 (1) (e) of the statutes is amended to read:

4 165.76 (1) (e) Is on parole, extended supervision or probation in this state from
5 another state under s. 304.13 or 304.135 on or after July 9, 1996, for a violation of
6 the law of another state that the department of corrections determines, under s.
7 304.137, is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or
8 948.025.

9 **SECTION 114.** 165.76 (2) (b) 1. of the statutes is amended to read:

10 165.76 (2) (b) 1. If the person has been placed on probation or supervision, he
11 or she shall provide the specimen under par. (a) at the office of a county sheriff as soon
12 after the placement as practicable, as directed by his or her probation, extended
13 supervision and parole agent or, if a child, the agency providing supervision for the
14 child.

15 **SECTION 115.** 165.76 (2) (b) 2. of the statutes is amended to read:

16 165.76 (2) (b) 2. If the person has been sentenced to prison or placed in a secured
17 correctional facility or a secured child caring institution, he or she shall provide the
18 specimen under par. (a) at the office of a county sheriff as soon as practicable after
19 release on parole, extended supervision or aftercare supervision, as directed by his
20 or her probation, extended supervision and parole agent or aftercare agent, except
21 that the department of corrections may require the person to provide the specimen
22 while he or she is in prison or in a secured correctional facility or a secured child
23 caring institution.

24 **SECTION 116.** 165.76 (2) (b) 3m. of the statutes is amended to read:

1 165.76 (2) (b) 3m. If the person is on parole, extended supervision or probation
2 in this state from another state under s. 304.13 or 304.135, he or she shall provide
3 the specimen under par. (a) at the office of a county sheriff as soon as practicable after
4 entering this state, as directed by his or her probation, extended supervision and
5 parole agent.

6 **SECTION 117.** 165.76 (2) (b) 5. of the statutes is amended to read:

7 165.76 (2) (b) 5. Notwithstanding subds. 1. to 3., for persons who are subject
8 to sub. (1) and who are in prison, a secured correctional facility or a secured child
9 caring institution or on probation, extended supervision, parole, supervision or
10 aftercare supervision on August 12, 1993, the departments of justice, corrections
11 and health and family services shall cooperate to have these persons provide
12 specimens under par. (a) before July 1, 1998.

13 **SECTION 118.** 165.76 (2) (b) 6. of the statutes is amended to read:

14 165.76 (2) (b) 6. Notwithstanding subd. 3m., for a person who is subject to sub.
15 (1) (e) and who is on parole, extended supervision or probation in this state from
16 another state on July 9, 1996, the department of justice and the department of
17 corrections shall cooperate to have these persons provide specimens under par. (a)
18 before July 1, 2000.

19 **SECTION 119.** 165.84 (5) of the statutes is amended to read:

20 165.84 (5) All persons in charge of law enforcement and tribal law enforcement
21 agencies, all clerks of court, all municipal judges where they have no clerks, all
22 persons in charge of state and county penal and correctional institutions, and all
23 persons in charge of state and county probation, extended supervision and parole
24 offices, shall supply the department with the information described in s. 165.83 (2)

1 (f) on the basis of the forms and instructions to be supplied by the department under
2 s. 165.83 (2) (g).

3 **SECTION 120.** 166.20 (11) (b) 1. of the statutes is amended to read:

4 166.20 (11) (b) 1. For the first offense, be fined not less than \$100 nor more than
5 \$25,000 or imprisoned for not more than ~~2~~ 3 years or both.

6 **SECTION 121.** 166.20 (11) (b) 2. of the statutes is amended to read:

7 166.20 (11) (b) 2. For the 2nd and subsequent offenses, be fined not less than
8 \$200 nor more than \$50,000 or imprisoned for not more than ~~2~~ 3 years or both.

9 **SECTION 122.** 167.10 (9) (g) of the statutes is amended to read:

10 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
11 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned for not more
12 than ~~10~~ 15 years or both.

13 **SECTION 123.** 175.20 (3) of the statutes is amended to read:

14 175.20 (3) Any person who ~~shall violate~~ violates any of the provisions of this
15 section shall be ~~punished by a fine of~~ fined not less than \$25 and ~~not~~ nor more than
16 \$1,000, ~~or by imprisonment~~ and may be imprisoned for not less than 30 days ~~in the~~
17 ~~county jail and not~~ nor more than ~~one year in the state prison,~~ 2 years or ~~by both such~~
18 ~~fine and imprisonment, and as an additional penalty thereto.~~ In addition, the court
19 may revoke the license or licenses of the person or persons convicted.

20 **SECTION 124.** 180.0129 (2) of the statutes is amended to read:

21 180.0129 (2) Whoever violates this section may be fined not more than \$10,000
22 or imprisoned for not more than ~~2~~ 3 years or both.

23 **SECTION 125.** 181.69 of the statutes is amended to read:

24 **181.69 Penalties for false statements.** Any officer or director or any other
25 person who shall file or cause to be filed with the department on behalf of any

1 corporation subject to this chapter any certificate, report, statement, application or
2 any other document required or permitted to be so filed under this chapter, known
3 to such director, officer or other person to be false or misleading in any material
4 respect shall be imprisoned ~~in the Wisconsin state prisons~~ for not less than one year
5 nor more than 3 4 years ~~or in the county jail not more than one year and 6 months~~
6 or fined not more than \$1,000.

7 **SECTION 126.** 184.09 (2) of the statutes is amended to read:

8 184.09 (2) Every director, president, secretary or other official or agent of any
9 public service corporation, who shall practice fraud or knowingly make any false
10 statement to secure a certificate of authority to issue any security, or issue under a
11 certificate so obtained and with knowledge of such fraud, or false statement, or
12 negotiate, or cause to be negotiated, any security, in violation of this chapter, shall
13 be ~~punished by a fine of~~ fined not less than ~~five hundred dollars, \$500~~ or by
14 ~~imprisonment~~ imprisoned in the state prison for not less than one ~~or~~ nor more than
15 10 15 years, or by both fine and imprisonment.

16 **SECTION 127.** 185.825 of the statutes is amended to read:

17 **185.825 Penalty for false document.** Whoever causes a document to be
18 filed, knowing it to be false in any material respect, may be fined not more than
19 \$1,000 or imprisoned for not more than 3 4 years and 6 months or both.

20 **SECTION 128.** 214.93 of the statutes is amended to read:

21 **214.93 False statements.** A person may not knowingly make, cause, or allow
22 another person to make or cause to be made, a false statement, under oath if required
23 by this chapter or on any report or statement required by the division or by this
24 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
25 section may be imprisoned for not more than 20 30 years.

1 **SECTION 129.** 215.02 (6) (b) of the statutes is amended to read:

2 215.02 **(6)** (b) If any person mentioned in par. (a) discloses the name of any
3 debtor of any association or any information about the private account or
4 transactions of such association, discloses any fact obtained in the course of any
5 examination of any association, or discloses examination or other confidential
6 information obtained from any state or federal regulatory authority, including an
7 authority of this state or another state, for financial institutions, mortgage bankers,
8 insurance or securities, except as provided in par. (a), he or she shall forfeit his or her
9 office or position and may be fined not less than \$100 nor more than \$1,000, or
10 imprisoned for not less than 6 months nor more than ~~2~~ 3 years or both.

11 **SECTION 130.** 215.12 of the statutes is amended to read:

12 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
13 director, employe or agent of any association who steals, abstracts, or wilfully
14 misapplies any property of the association, whether owned by it or held in trust, or
15 who, without authority, issues or puts forth any certificate of savings accounts,
16 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
17 in any book, record, report or statement of the association with intent to injure or
18 defraud the association or any person or corporation, or to deceive any officer or
19 director of the association, or any other person, or any agent appointed to examine
20 the affairs of such association, or any person who, with like intent, aids or abets any
21 officer, director, employe or agent in the violation of this section, shall be imprisoned
22 in the Wisconsin state prisons for not ~~to exceed 20~~ more than 30 years.

23 **SECTION 131.** 215.21 (21) of the statutes is amended to read:

24 215.21 **(21)** PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
25 director, employe or agent of any association, or any appraiser making appraisals for

1 any association, who accepts or receives, or offers or agrees to accept or receive
2 anything of value in consideration of its loaning any money to any person; or any
3 person who offers, gives, presents or agrees to give or present anything of value to
4 any officer, director, employe or agent of any association or to any appraiser making
5 appraisals for any association in consideration of its loaning money to the person,
6 shall be fined not to exceed more than \$10,000 or imprisoned in the Wisconsin state
7 prisons for not to exceed 2 more than 3 years or both. Nothing in this subsection
8 prohibits an association from employing an officer, employe or agent to solicit
9 mortgage loans and to pay the officer, employe or agent on a fee basis.

10 **SECTION 132.** 218.21 (7) of the statutes is amended to read:

11 218.21 (7) Any person who knowingly makes a false statement in an
12 application for a motor vehicle salvage dealer license may be fined not more than
13 \$5,000 or imprisoned for not more than 5 7 years and 6 months or both.

14 **SECTION 133.** 220.06 (2) of the statutes is amended to read:

15 220.06 (2) If any employe in the division or any member of the banking review
16 board or any employe thereof discloses the name of any debtor of any bank or
17 licensee, or anything relative to the private account or transactions of such bank or
18 licensee, or any fact obtained in the course of any examination of any bank or
19 licensee, except as herein provided, that person shall be subject, upon conviction, to
20 forfeiture of office, or position and ~~to the payment of a fine of~~ may be fined not less
21 than \$100 nor more than \$1,000, or ~~imprisonment in the Wisconsin state prisons~~
22 imprisoned for not less than 6 months nor more than 2 3 years, or both.

23 **SECTION 134.** 221.0625 (2) (intro.) of the statutes is amended to read:

1 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
2 of this section, directly or indirectly does any of the following may be imprisoned for
3 not more than ~~10~~ 15 years:

4 **SECTION 135.** 221.0636 (2) of the statutes is amended to read:

5 221.0636 (2) PENALTY. Any person who violates sub. (1) may be imprisoned for
6 not more than ~~20~~ 30 years.

7 **SECTION 136.** 221.0637 (2) of the statutes is amended to read:

8 221.0637 (2) PENALTIES. Any person who violates sub. (1) may be fined not more
9 than \$10,000 or imprisoned for not more than ~~2~~ 3 years or both.

10 **SECTION 137.** 221.1004 (2) of the statutes is amended to read:

11 221.1004 (2) PENALTIES. Any person who violates sub. (1) may be fined not less
12 than \$1,000 nor more than \$5,000, or imprisoned for not less than one year nor more
13 than ~~10~~ 15 years, or both.

14 **SECTION 138.** 227.03 (4) of the statutes is amended to read:

15 227.03 (4) The provisions of this chapter relating to contested cases do not
16 apply to proceedings involving the revocation of aftercare supervision under s.
17 48.366 (5) or 938.357 (5), the revocation of parole, extended supervision or probation,
18 the grant of probation, prison discipline, mandatory release under s. 302.11 or any
19 other proceeding involving the care and treatment of a resident or an inmate of a
20 correctional institution.

21 **SECTION 139.** 230.36 (1) of the statutes is amended to read:

22 230.36 (1) If a conservation warden, conservation patrol boat captain,
23 conservation patrol boat engineer, state forest ranger, conservation field employe of
24 the department of natural resources who is subject to call for fire control duty,
25 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax

1 investigator employed by the department of revenue, special criminal investigation
2 agent employed by the department of justice, special tax agent, state drivers' license
3 examiner, state fair park police officer, University of Wisconsin System police officer
4 and other state facilities police officer and patrol officer, security officer, watcher,
5 engineer, engineering aide, building construction superintendent, fire fighter
6 employed at the Wisconsin Veterans Home, or guard or institutional aide or a state
7 probation, extended supervision and parole officer or any other employe whose
8 duties include supervision and discipline of inmates or wards of the state at a state
9 penal institution, including a secured correctional facility, as defined in s. 938.02
10 (15m), or while on parole supervision or extended supervision outside of the confines
11 of the institutions, or supervision of persons placed on probation by a court of record,
12 or supervision and care of patients at a state mental institution, and the University
13 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or
14 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed
15 in this subsection and who is ordered by his or her appointing authority to accompany
16 any employe listed in this subsection while the listed employe is engaged in the
17 duties defined in sub. (3), or any other state employe who is not listed in this
18 subsection and who is ordered by his or her appointing authority to perform the
19 duties, when permitted, in lieu of the listed employe and while so engaged in the
20 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall
21 continue to be fully paid by the employing agency upon the same basis as paid prior
22 to the injury, with no reduction in sick leave credits, compensatory time for overtime
23 accumulations or vacation and no reduction in the rate of earning sick leave credit
24 or vacation. The full pay shall continue while the employe is unable to return to work
25 as the result of the injury or until the termination of his or her employment upon

1 recommendation of the appointing authority. At any time during the employee's
2 period of disability the appointing authority may order physical or medical
3 examinations to determine the degree of disability at the expense of the employing
4 agency.

5 **SECTION 140.** 230.36 (3) (c) (intro.) of the statutes is amended to read:

6 230.36 (3) (c) (intro.) A guard, institution aide, or other employe at the
7 University of Wisconsin Hospitals and Clinics or at a state penal or mental
8 institution, including a secured correctional facility, as defined in s. 938.02 (15m),
9 and a state probation, extended supervision and parole officer, at all times while:

10 **SECTION 141.** 230.36 (3) (c) 2. of the statutes is amended to read:

11 230.36 (3) (c) 2. In the process of restraining patients, inmates, probationers
12 ~~or~~, parolees or persons on extended supervision and apprehending runaways or
13 escapees, including probationers ~~and~~, parolees and persons on extended supervision;

14 **SECTION 142.** 230.36 (3) (c) 3. of the statutes is amended to read:

15 230.36 (3) (c) 3. When injury is occasioned as the result of an act by a patient,
16 inmate, probationer ~~or~~, parolee or person on extended supervision;

17 **SECTION 143.** 253.06 (4) (b) of the statutes, as created by 1997 Wisconsin Act
18 27, is amended to read:

19 253.06 (4) (b) A person who violates any provision of this subsection may be
20 fined not more than \$10,000 or imprisoned for not more than ~~2~~ 3 years, or both, for
21 the first offense and may be fined not more than \$10,000 or imprisoned for not more
22 than ~~5~~ 7 years and 6 months, or both, for the 2nd or subsequent offense.

23 **SECTION 144.** 285.87 (2) (b) of the statutes is amended to read:

1 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
2 another conviction under par. (a), the person shall be fined not more than \$50,000
3 per day of violation or imprisoned for not more than ~~2~~ 3 years or both.

4 **SECTION 145.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

5 291.97 (2) (b) (intro.) Any person who willfully does any of the following shall
6 be fined not less than \$1,000 nor more than \$100,000 or imprisoned for not more than
7 ~~5~~ 7 years and 6 months or both:

8 **SECTION 146.** 291.97 (2) (c) of the statutes is amended to read:

9 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person shall
10 be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more than
11 ~~one year in the Wisconsin state prisons~~ 2 years or both.

12 2. For a 2nd or subsequent violation under par. (b), a person shall be fined not
13 less than \$5,000 nor more than \$150,000 or imprisoned for not more than ~~10~~ 15 years
14 or both.

15 **SECTION 147.** 299.53 (4) (c) 2. of the statutes is amended to read:

16 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
17 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
18 or imprisoned for not more than one year in the county jail or both. For a 2nd or
19 subsequent violation, the person shall be fined not more than \$50,000 or imprisoned
20 for not more than ~~2~~ 3 years or both.

21 **SECTION 148.** 301.03 (2r) of the statutes is amended to read:

22 301.03 (2r) Conduct drug testing of prospective parolees or persons to be placed
23 on extended supervision who have undergone treatment while in state prison.

24 **SECTION 149.** 301.03 (3) of the statutes is amended to read:

1 301.03 (3) Administer parole, extended supervision and probation matters,
2 except that the decision to grant or deny parole to inmates shall be made by the parole
3 commission and the decision to revoke probation, extended supervision or parole in
4 cases in which there is no waiver of the right to a hearing shall be made by the
5 division of hearings and appeals in the department of administration. The secretary
6 may grant special action parole releases under s. 304.02. The department shall
7 promulgate rules establishing a drug testing program for probationers and, parolees
8 and persons placed on extended supervision. The rules shall provide for assessment
9 of fees upon probationers and, parolees and persons placed on extended supervision
10 to partially offset the costs of the program.

11 **SECTION 150.** 301.03 (3g) of the statutes is amended to read:

12 301.03 (3g) Provide treatment for alcoholics and intoxicated persons on parole
13 or extended supervision.

14 **SECTION 151.** 301.03 (13) of the statutes, as created by 1997 Wisconsin Act 27,
15 is amended to read:

16 301.03 (13) Annually notify each person who has been discharged from
17 probation, extended supervision or parole and who owed any supervision fees at the
18 time of discharge of any supervision fees owed by the person to the department.

19 **SECTION 152.** 301.03 (14) of the statutes is created to read:

20 301.03 (14) On or before August 1 of each even-numbered year, provide to the
21 department of health and family services an estimate of the total proposed budget
22 that the department of corrections will submit in its biennial budget request under
23 s. 16.42.

24 **SECTION 153.** 301.046 (3) (intro.) of the statutes is amended to read:

1 301.046 (3) ELIGIBILITY. (intro.) The department shall determine those
2 prisoners who are confined under sub. (1). Except as provided in ~~sub. (3m) and~~
3 (3t), a prisoner is eligible for this confinement only under all of the following
4 conditions:

5 **SECTION 154.** 301.046 (3t) of the statutes is created to read:

6 301.046 (3t) PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY. A
7 prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for
8 confinement under sub. (1) during the term of confinement in prison portion of the
9 bifurcated sentence.

10 **SECTION 155.** 301.048 (1) (a) of the statutes is amended to read:

11 301.048 (1) (a) Punishment that is less costly than ordinary imprisonment and
12 more restrictive than ordinary probation or parole supervision or extended
13 supervision.

14 **SECTION 156.** 301.048 (2) (b) of the statutes is amended to read:

15 301.048 (2) (b) He or she is a prisoner serving a felony sentence not punishable
16 by life imprisonment and the department directs him or her to participate in the
17 program. This paragraph does not apply to a prisoner serving a bifurcated sentence
18 imposed under s. 973.01.

19 **SECTION 157.** 301.048 (2) (cm) of the statutes is created to read:

20 301.048 (2) (cm) A court or the department requires his or her participation in
21 the program as a condition of extended supervision under s. 302.113 (7) or 302.114
22 (5) (d) or (8) or 973.01 (5).

23 **SECTION 158.** 301.048 (2) (d) of the statutes is amended to read:

1 301.048 (2) (d) The department and the person agree to his or her participation
2 in the program as an alternative to revocation of probation, extended supervision or
3 parole.

4 **SECTION 159.** 301.048 (2m) of the statutes is created to read:

5 301.048 (2m) PERSONS SERVING BIFURCATED SENTENCE; RESTRICTED ELIGIBILITY.
6 A prisoner serving a bifurcated sentence imposed under s. 973.01 is not eligible for
7 the intensive sanctions program during the term of confinement in prison portion of
8 the bifurcated sentence.

9 **SECTION 160.** 301.048 (4) (a) of the statutes is amended to read:

10 301.048 (4) (a) A participant is in the custody and under the control of the
11 department, subject to its rules and discipline. A participant entering the program
12 under sub. (2) (a) or (b) is a prisoner. A participant entering the program under sub.
13 (2) (c) is a prisoner, except that he or she is a parolee for purposes of revocation. A
14 participant entering the program under sub. (2) (cm) is a prisoner, except that he or
15 she remains a person on extended supervision for purposes of revocation. A
16 participant entering the program under sub. (2) (d) is a prisoner, except that he or
17 she remains a probationer ~~or~~, parolee or person on extended supervision, whichever
18 is applicable, for purposes of revocation.

19 **SECTION 161.** 301.048 (4) (am) of the statutes is amended to read:

20 301.048 (4) (am) A participant who is a parolee for purposes of revocation is
21 subject to revocation for violation of any condition of parole or any rule or condition
22 applicable because he or she is a program participant. A participant who is a person
23 on extended supervision for purposes of revocation is subject to revocation for
24 violation of any condition of extended supervision or any rule or condition applicable
25 because he or she is a program participant. A participant who is a probationer for

1 purposes of revocation is subject to revocation for violation of any condition of
2 probation or any rule or condition applicable because he or she is a program
3 participant.

4 **SECTION 162.** 301.048 (4m) (b) (intro.) of the statutes is amended to read:

5 301.048 (4m) (b) (intro.) As soon as possible after a prisoner, probationer or,
6 parolee or person on extended supervision who has violated s. 940.03, 940.05,
7 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07 enters the intensive
8 sanctions program, the department shall make a reasonable effort to notify all of the
9 following persons, if they can be found, in accordance with par. (c) and after receiving
10 a completed card under par. (d):

11 **SECTION 163.** 301.048 (4m) (b) 1. of the statutes is amended to read:

12 301.048 (4m) (b) 1. The victim of the crime committed by the prisoner,
13 probationer or, parolee or person on extended supervision or, if the victim died as a
14 result of the crime, an adult member of the victim's family or, if the victim is younger
15 than 18 years old, the victim's parent or legal guardian.

16 **SECTION 164.** 301.048 (4m) (b) 2. of the statutes is amended to read:

17 301.048 (4m) (b) 2. Any witness who testified against the prisoner, probationer
18 or, parolee or person on extended supervision in any court proceeding involving the
19 offense.

20 **SECTION 165.** 301.048 (6) of the statutes is renumbered 301.048 (6) (a) and
21 amended to read:

22 301.048 (6) (a) The Except as provided in par. (b), the department may
23 discharge a participant from participation in the program and from departmental
24 custody and control at any time.

25 **SECTION 166.** 301.048 (6) (b) of the statutes is created to read:

1 301.048 (6) (b) The department may discharge a participant who is on extended
2 supervision under s. 302.113 from participation in the program at any time, but the
3 person remains under departmental supervision under the terms of the person's
4 bifurcated sentence imposed under s. 973.01 until the end of that sentence.

5 **SECTION 167.** 301.049 (2) (a) 2. of the statutes is amended to read:

6 301.049 (2) (a) 2. On probation, extended supervision or parole and who, if
7 approved by the department under par. (b), would participate in the program as an
8 alternative to revocation of probation, extended supervision or parole.

9 **SECTION 168.** 301.049 (3) (e) of the statutes is amended to read:

10 301.049 (3) (e) Prepare each mother to be able to live in a safe, lawful and stable
11 manner in the community upon parole, extended supervision or discharge.

12 **SECTION 169.** 301.08 (1) (c) 2., 3., 3m. and 5. of the statutes, as affected by 1997
13 Wisconsin Act 27, are amended to read:

14 301.08 (1) (c) 2. Beginning on January 1, 1996, the department may contract
15 with public, private or voluntary vendors for the supervision or for any component
16 of the supervision of probationers ~~and~~, parolees and persons on extended supervision
17 who are under minimum supervision or administrative supervision.

18 3. Except as provided in subd. 3m., a contract under subd. 2. shall authorize
19 a vendor to charge a fee to probationers ~~and~~, parolees and persons on extended
20 supervision sufficient to cover the cost of supervision and administration of the
21 contract.

22 3m. A contract under subd. 2. shall permit the department to prohibit a vendor
23 from charging a fee to a probationer ~~or~~, parolee or person on extended supervision
24 who is supervised under the contract if the probationer ~~or~~, parolee or person on

1 extended supervision demonstrates that he or she is unable to pay the fee because
2 of any of the following:

3 a. The probationer ~~or~~, parolee or person on extended supervision is undergoing
4 treatment approved by the department and is unable to work.

5 b. The probationer ~~or~~, parolee or person on extended supervision has a
6 statement from a physician certifying to the department that the probationer ~~or~~,
7 parolee or person on extended supervision should be excused from working for
8 medical reasons.

9 5. The department shall promulgate rules for fees, collections, reporting and
10 verification regarding probationers ~~and~~, parolees and persons on extended
11 supervision supervised by a vendor who contracts with the department under subd.
12 2. and shall promulgate rules defining “administrative supervision” and “minimum
13 supervision”.

14 **SECTION 170.** 301.08 (3) (b) (intro.) of the statutes, as created by 1997 Wisconsin
15 Act 27, is amended to read:

16 301.08 (3) (b) (intro.) Before contracting under this section for transitional
17 housing for the temporary placement of persons on parole, extended supervision or
18 probation, the department shall notify all of the following of the proposed contract:

19 **SECTION 171.** 301.132 (2) of the statutes is amended to read:

20 301.132 (2) The department may require, as a condition of probation ~~or~~, parole
21 or extended supervision, that a probationer ~~or~~, parolee or person on extended
22 supervision who is a sex offender submit to a lie detector test when directed to do so
23 by the department.

24 **SECTION 172.** 301.132 (3) of the statutes is amended to read:

1 301.132 (3) The department shall promulgate rules establishing a lie detector
2 test program for probationers and, parolees and persons on extended supervision
3 who are sex offenders. The rules shall provide for assessment of fees upon
4 probationers and, parolees and persons on extended supervision to partially offset
5 the costs of the program.

6 **SECTION 173.** 301.21 (1m) (a) 8. of the statutes, as affected by 1997 Wisconsin
7 Act 27, is amended to read:

8 301.21 (1m) (a) 8. Provisions concerning procedures for probation, parole,
9 extended supervision and discharge.

10 **SECTION 174.** 301.21 (2m) (a) 6. of the statutes, as created by 1997 Wisconsin
11 Act 27, is amended to read:

12 301.21 (2m) (a) 6. Provisions concerning procedures for probation, parole,
13 extended supervision and discharge.

14 **SECTION 175.** 301.32 (3) (a) of the statutes is amended to read:

15 301.32 (3) (a) All money or other property paid or delivered to a probation,
16 extended supervision and parole agent or other employe of the department by or for
17 the benefit of any person on probation, extended supervision or parole shall be
18 immediately transmitted to the department and it shall enter the same upon its
19 books to his or her credit. The property shall be used only under the direction of the
20 department.

21 **SECTION 176.** 301.32 (3) (b) of the statutes is amended to read:

22 301.32 (3) (b) If the person on probation, extended supervision or parole
23 absconds, the money shall be credited to the revolving fund created by s. 304.075; and
24 other property if not called for within one year shall be sold by the department and
25 the proceeds shall be credited to the fund.

1 **SECTION 177.** 301.35 (2) (bm) of the statutes is created to read:

2 301.35 (2) (bm) A person on extended supervision.

3 **SECTION 178.** 301.38 (1) (am) of the statutes is amended to read:

4 301.38 (1) (am) "Prisoner" has the meaning given in s. 301.01 (2), but does not
5 include any person in the intensive sanctions program under s. 301.048 or any person
6 who is imprisoned as an alternative to the revocation of probation, extended
7 supervision or parole.

8 **SECTION 179.** 301.45 (1) (b) of the statutes, as affected by 1995 Wisconsin Act
9 440, is amended to read:

10 301.45 (1) (b) Is in prison, a secured correctional facility, as defined in s. 938.02
11 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or on
12 probation, extended supervision, parole, supervision or aftercare supervision on or
13 after December 25, 1993, for any violation, or for the solicitation, conspiracy or
14 attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02
15 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30, or of s.
16 940.30 or 940.31 if the victim was a minor and the person was not the victim's parent.

17 **SECTION 180.** 301.45 (1) (bm) of the statutes, as created by 1995 Wisconsin Act
18 440, is amended to read:

19 301.45 (1) (bm) Is in prison, a secured correctional facility, as defined in s.
20 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or
21 on probation, extended supervision, parole, supervision or aftercare supervision on
22 or after December 25, 1993, for a violation, or for the solicitation, conspiracy or
23 attempt to commit a violation, of a law of this state that is comparable to s. 940.22
24 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,

1 948.07, 948.08, 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or
2 940.31 if the victim was a minor and the person was not the victim's parent.

3 **SECTION 181.** 301.45 (1) (dh) of the statutes, as created by 1995 Wisconsin Act
4 440, is amended to read:

5 301.45 (1) (dh) Is on parole, extended supervision or probation in this state
6 from another state under s. 304.13 or 304.135 on or after December 25, 1993, for a
7 violation, or for the solicitation, conspiracy or attempt to commit a violation, of the
8 law of another state that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2)
9 or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08,
10 948.11 or 948.30 or that is comparable to a violation of s. 940.30 or 940.31 if the victim
11 was a minor and the person was not the victim's parent.

12 **SECTION 182.** 301.45 (2) (a) 4. b. of the statutes, as created by 1995 Wisconsin
13 Act 440, is amended to read:

14 301.45 (2) (a) 4. b. The date the person was or is to be released from
15 confinement, whether on parole, extended supervision or otherwise, or discharged
16 or terminated from a sentence or commitment.

17 **SECTION 183.** 301.45 (2) (e) 1. of the statutes, as created by 1995 Wisconsin Act
18 440, is amended to read:

19 301.45 (2) (e) 1. Within 10 days after the person being placed on parole,
20 extended supervision, probation, supervision, aftercare supervision, conditional
21 release or supervised release.

22 **SECTION 184.** 301.45 (2) (e) 2. of the statutes, as created by 1995 Wisconsin Act
23 440, is amended to read:

1 301.45 (2) (e) 2. If the person is on parole, extended supervision or probation
2 from another state under s. 304.13 or 304.135, within 10 days after the person enters
3 this state.

4 **SECTION 185.** 301.45 (3) (a) 1m. of the statutes, as created by 1995 Wisconsin
5 Act 440, is amended to read:

6 301.45 (3) (a) 1m. If the person is on parole, extended supervision or probation
7 from another state under s. 304.13 or 304.135, he or she is subject to this subsection
8 upon entering this state.

9 **SECTION 186.** 301.45 (3) (a) 2. of the statutes, as affected by 1995 Wisconsin Act
10 440, is amended to read:

11 301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured
12 correctional facility or a secured child caring institution, he or she is subject to this
13 subsection upon being released on parole, extended supervision or aftercare
14 supervision.

15 **SECTION 187.** 301.45 (3) (b) 2. of the statutes, as affected by 1995 Wisconsin Act
16 440, is amended to read:

17 301.45 (3) (b) 2. The department shall notify a person who is being released
18 from prison because he or she has reached the expiration date of his or her sentence
19 and who is covered under sub. (1) of the need to comply with this section. Also,
20 probation, extended supervision and parole agents, aftercare agents and agencies
21 providing supervision shall notify any client who is covered under sub. (1) of the need
22 to comply with this section at the time the client is placed on probation, extended
23 supervision, parole, supervision or aftercare supervision or, if the client is on
24 probation, extended supervision or parole from another state under s. 304.13 or
25 304.135, when the client enters this state.

1 **SECTION 188.** 301.45 (3) (b) 4. of the statutes, as affected by 1995 Wisconsin Act
2 440, is amended to read:

3 301.45 (3) (b) 4. Failure to receive notice under this paragraph from the
4 department of health and family services, the department of corrections, a probation,
5 extended supervision and parole agent, an aftercare agent or an agency providing
6 supervision is not a defense to liability under sub. (6).

7 **SECTION 189.** 301.45 (5) (a) 1m. of the statutes, as created by 1995 Wisconsin
8 Act 440, is amended to read:

9 301.45 (5) (a) 1m. If the person is on parole, extended supervision or probation
10 from another state under s. 304.13 or 304.135, 15 years after discharge from that
11 parole, extended supervision or probation.

12 **SECTION 190.** 301.46 (2) (b) 4. b. of the statutes, as created by 1995 Wisconsin
13 Act 440, is amended to read:

14 301.46 (2) (b) 4. b. The date the person was released from confinement, whether
15 on parole, extended supervision or otherwise, or discharged or terminated from a
16 sentence or commitment.

17 **SECTION 191.** 302.045 (1) of the statutes is amended to read:

18 302.045 (1) PROGRAM. The department shall provide a challenge incarceration
19 program for inmates selected to participate under sub. (2). The program shall
20 provide participants with strenuous physical exercise, manual labor, personal
21 development counseling, substance abuse treatment and education, military drill
22 and ceremony and counseling in preparation for release on parole or extended
23 supervision. The department shall design the program to include not less than 50
24 participants at a time and so that a participant may complete the program in not

1 more than 180 days. The department may restrict participant privileges as
2 necessary to maintain discipline.

3 **SECTION 192.** 302.045 (2) (cm) of the statutes is created to read:

4 302.045 (2) (cm) If the inmate is serving a bifurcated sentence imposed under
5 s. 973.01, the sentencing court decided under s. 973.01 (3m) that the inmate is
6 eligible for the challenge incarceration program.

7 **SECTION 193.** 302.045 (3) of the statutes is amended to read:

8 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
9 determines that an inmate has successfully completed the challenge incarceration
10 program, the parole commission shall parole the inmate under s. 304.06, regardless
11 of the time the inmate has served, unless the person is serving a sentence imposed
12 under s. 973.01. When the parole commission grants parole under this subsection,
13 it must require the parolee to participate in an intensive supervision program for
14 drug abusers as a condition of parole.

15 **SECTION 194.** 302.045 (3m) of the statutes is created to read:

16 302.045 (3m) RELEASE TO EXTENDED SUPERVISION. (a) Except as provided in sub.
17 (4), if the department determines that an inmate serving the term of confinement in
18 prison portion of a bifurcated sentence imposed under s. 973.01 has successfully
19 completed the challenge incarceration program, the department shall inform the
20 court that sentenced the inmate.

21 (b) Upon being informed by the department under par. (a) that an inmate whom
22 the court sentenced under s. 973.01 has successfully completed the challenge
23 incarceration program, the court shall modify the inmate's bifurcated sentence as
24 follows:

1 1. The court shall reduce the term of confinement in prison portion of the
2 inmate's bifurcated sentence in a manner that provides for the release of the inmate
3 to extended supervision within 30 days of the date on which the court receives the
4 information from the department under par. (a).

5 2. The court shall lengthen the term of extended supervision imposed so that
6 the total length of the bifurcated sentence originally imposed does not change.

7 (c) The court may not increase the total length of the bifurcated sentence when
8 modifying a bifurcated sentence under par. (b).

9 **SECTION 195.** 302.045 (4) of the statutes is amended to read:

10 302.045 (4) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. The department may
11 place any intensive sanctions program participant in the challenge incarceration
12 program. The participant is not subject to subs. (2) ~~and~~, (3) and (3m).

13 **SECTION 196.** 302.095 (2) of the statutes is amended to read:

14 302.095 (2) Any officer or other person who delivers or procures to be delivered
15 or has in his or her possession with intent to deliver to any inmate confined in a jail
16 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts
17 of a jail or prison, or in any vehicle going into the premises belonging to a jail or
18 prison, any article or thing whatever, with intent that any inmate confined in the jail
19 or prison shall obtain or receive the same, or who receives from any inmate any
20 article or thing whatever with intent to convey the same out of a jail or prison,
21 contrary to the rules or regulations and without the knowledge or permission of the
22 sheriff or other keeper of the jail, in the case of a jail, or of the warden or
23 superintendent of the prison, in the case of a prison, shall be imprisoned for not more
24 than ~~2~~ 3 years or fined not more than \$500.

25 **SECTION 197.** 302.11 (1) of the statutes is amended to read:

1 302.11 (1) The warden or superintendent shall keep a record of the conduct of
2 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),
3 (1m), (1z), (7) and (10), each inmate is entitled to mandatory release on parole by the
4 department. The mandatory release date is established at two-thirds of the
5 sentence. Any calculations under this subsection or sub. (2) (b) resulting in fractions
6 of a day shall be rounded in the inmate's favor to a whole day.

7 **SECTION 198.** 302.11 (1g) (am) of the statutes is amended to read:

8 302.11 (1g) (am) The mandatory release date established in sub. (1) is a
9 presumptive mandatory release date for an inmate who is serving a sentence for a
10 serious felony committed on or after April 21, 1994, but before July 1, 1999.

11 **SECTION 199.** 302.11 (1i) of the statutes is amended to read:

12 302.11 (1i) An Except as provided in sub. (1z), an inmate serving a sentence to
13 the intensive sanctions program is entitled to mandatory release. The mandatory
14 release date under sub. (1) is established at two-thirds of the sentence under s.
15 973.032 (3) (a).

16 **SECTION 200.** 302.11 (1p) of the statutes is amended to read:

17 302.11 (1p) An inmate serving a term subject to s. 961.49 (2) for a crime
18 committed before July 1, 1999, is entitled to mandatory release, except the inmate
19 may not be released before he or she has complied with s. 961.49 (2).

20 **SECTION 201.** 302.11 (1z) of the statutes is created to read:

21 302.11 (1z) An inmate who is sentenced to a term of confinement in prison
22 under s. 973.01 for a felony that is committed on or after July 1, 1999, is not entitled
23 to mandatory release on parole under this section.

24 **SECTION 202.** 302.11 (6) of the statutes is amended to read:

1 302.11 (6) Any inmate released on parole under sub. (1) or (1g) (b) or s. 304.02
2 or 304.06 (1) is subject to all conditions and rules of parole until the expiration of the
3 sentence or until he or she is discharged by the department. Except as provided in
4 ch. 304, releases from prison shall be on the Tuesday or Wednesday preceding the
5 release date. The department may discharge a parolee on or after his or her
6 mandatory release date or after 2 years of supervision. Any inmate sentenced to the
7 intensive sanctions program who is released on parole under sub. (1) or s. 304.02 or
8 304.06 (1) remains in the program unless discharged by the department under s.
9 301.048 (6) (a).

10 **SECTION 203.** 302.11 (9) of the statutes is amended to read:

11 302.11 (9) Except as provided in ~~sub.~~ subs. (1g) (am) and (1z), this section
12 applies to persons committing offenses occurring on or after June 1, 1984, or persons
13 filing requests in accordance with 1983 Wisconsin Act 528, section 29 (2) or (3).

14 **SECTION 204.** 302.113 of the statutes is created to read:

15 **302.113 Release to extended supervision for felony offenders not**
16 **servicing life sentences.** (1) An inmate is subject to this section if he or she is
17 serving a bifurcated sentence imposed under s. 973.01.

18 (2) Except as provided in subs. (3) and (9), an inmate subject to this section is
19 entitled to release to extended supervision after he or she has served the term of
20 confinement in prison portion of the sentence imposed under s. 973.01, as modified
21 by the sentencing court under s. 302.045 (3m) (b) 1., if applicable.

22 (3) (a) The warden or superintendent shall keep a record of the conduct of each
23 inmate subject to this section, specifying each infraction of the rules. If an inmate
24 subject to this section violates any regulation of the prison or refuses or neglects to

1 perform required or assigned duties, the department may extend the term of
2 confinement in prison portion of the inmate's bifurcated sentence as follows:

- 3 1. Ten days for the first offense.
- 4 2. Twenty days for the 2nd offense.
- 5 3. Forty days for the 3rd or each subsequent offense.

6 (b) In addition to the sanctions under par. (a), if an inmate subject to this section
7 is placed in adjustment, program or controlled segregation status, the department
8 may extend his or her term of confinement in prison portion of the bifurcated
9 sentence by a number of days equal to 50% of the number of days spent in segregation
10 status. In administering this paragraph, the department shall use the definition of
11 adjustment, program or controlled segregation status under departmental rules in
12 effect at the time an inmate is placed in that status.

13 (c) No extension of a term of confinement in prison under this subsection may
14 require an inmate to serve more days in prison than the total length of the bifurcated
15 sentence imposed under s. 973.01.

16 (d) If the term of confinement in prison portion of a bifurcated sentence is
17 increased under this subsection, the term of extended supervision is reduced so that
18 the total length of the bifurcated sentence does not change.

19 (4) All consecutive sentences shall be computed as one continuous sentence.
20 The person shall serve any term of extended supervision after serving all terms of
21 confinement in prison.

22 (5) An inmate may waive entitlement to release to extended supervision if the
23 department agrees to the waiver.

24 (6) Before a person is released to extended supervision under this section, the
25 department shall notify the municipal police department and the county sheriff for

1 the area where the person will be residing. The notification requirement does not
2 apply if a municipal department or county sheriff submits to the department a
3 written statement waiving the right to be notified. If applicable, the department
4 shall also comply with s. 304.063.

5 (7) Any inmate released to extended supervision under this section is subject
6 to all conditions and rules of extended supervision until the expiration of the term
7 of extended supervision portion of the bifurcated sentence. The department may set
8 conditions of extended supervision in addition to any conditions of extended
9 supervision set by the court under s. 973.01 (5) if the conditions set by the department
10 do not conflict with the court's conditions.

11 (8) Releases to extended supervision from prison shall be on the Tuesday or
12 Wednesday preceding the date on which he or she completes the term of
13 imprisonment.

14 (9) (a) If a person released to extended supervision under this section violates
15 a condition of extended supervision, the division of hearings and appeals in the
16 department of administration, upon proper notice and hearing, or the department
17 of corrections, if the person on extended supervision waives a hearing, may revoke
18 the extended supervision of the person and return the person to prison. If the person
19 is returned to prison, he or she shall be returned to prison for any specified period
20 of time that does not exceed the time remaining on the bifurcated sentence. The time
21 remaining on the bifurcated sentence is the total length of the bifurcated sentence,
22 less time served by the person in custody before release to extended supervision. The
23 revocation order shall provide the person on extended supervision with credit in
24 accordance with ss. 304.072 and 973.155.

1 (b) A person who is returned to prison after revocation of extended supervision
2 shall be incarcerated for the entire period of time specified by the department of
3 corrections in the case of a waiver or by the division of hearings and appeals in the
4 department of administration in the case of a hearing under par. (a). The period of
5 time specified under par. (a) may be extended in accordance with sub. (3).

6 (c) A person who is subsequently released to extended supervision after service
7 of the period of time specified by the department of corrections in the case of a waiver
8 or by the division of hearings and appeals in the department of administration in the
9 case of a hearing under par. (a) is subject to all conditions and rules under sub. (7)
10 until the expiration of the term of extended supervision portion of the bifurcated
11 sentence.

12 (10) The department may promulgate rules establishing guidelines and
13 criteria for the exercise of discretion under this section.

14 **SECTION 205.** 302.114 of the statutes is created to read:

15 **302.114 Petition for release and release to extended supervision for**
16 **felony offenders serving life sentences. (1)** An inmate is subject to this section
17 if he or she is serving a life sentence imposed under s. 973.014 (1g) (a) 1. or 2. An
18 inmate serving a life sentence under s. 939.62 (2m) or 973.014 (1g) (a) 3. is not eligible
19 for release to extended supervision under this section.

20 (2) Except as provided in subs. (3) and (9), an inmate subject to this section may
21 petition the sentencing court for release to extended supervision after he or she has
22 served 20 years, if the inmate was sentenced under s. 973.014 (1g) (a) 1., or after he
23 or she has reached the extended supervision eligibility date set by the court, if the
24 inmate was sentenced under s. 973.014 (1g) (a) 2.

1 **(3)** (a) The warden or superintendent shall keep a record of the conduct of each
2 inmate subject to this section, specifying each infraction of the rules. If any inmate
3 subject to this section violates any regulation of the prison or refuses or neglects to
4 perform required or assigned duties, the department may extend the extended
5 supervision eligibility date set under s. 973.014 (1g) (a) 1. or 2., whichever is
6 applicable, as follows:

- 7 1. Ten days for the first offense.
- 8 2. Twenty days for the 2nd offense.
- 9 3. Forty days for the 3rd or each subsequent offense.

10 **(b)** In addition to the sanctions under par. (a), if an inmate subject to this section
11 is placed in adjustment, program or controlled segregation status, the department
12 may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.
13 or 2., whichever is applicable, by a number of days equal to 50% of the number of days
14 spent in segregation status. In administering this paragraph, the department shall
15 use the definition of adjustment, program or controlled segregation status under
16 departmental rules in effect at the time an inmate is placed in that status.

17 **(4)** All consecutive sentences shall be computed as one continuous sentence.
18 An inmate subject to this section shall serve any term of extended supervision after
19 serving all terms of confinement in prison.

20 **(5)** (a) An inmate subject to this section who is seeking release to extended
21 supervision shall file a petition for release to extended supervision with the court
22 that sentenced him or her. An inmate may not file an initial petition under this
23 paragraph earlier than 90 days before his or her extended supervision eligibility
24 date. If an inmate files an initial petition for release to extended supervision at any

1 time earlier than 90 days before his or her extended supervision eligibility date, the
2 court shall deny the petition without a hearing.

3 (am) The inmate shall serve a copy of a petition for release to extended
4 supervision on the district attorney's office that prosecuted him or her, and the
5 district attorney shall file a written response to the petition within 45 days after the
6 date he or she receives the petition.

7 (b) After reviewing a petition for release to extended supervision and the
8 district attorney's response to the petition, the court shall decide whether to hold a
9 hearing on the petition or, if it does not hold a hearing, whether to grant or deny the
10 petition without a hearing. If the court decides to hold a hearing under this
11 paragraph, the hearing shall be before the court without a jury. The office of the
12 district attorney that prosecuted the inmate shall represent the state at the hearing.

13 (c) Before deciding whether to grant or deny the inmate's petition, the court
14 shall allow a victim or family member of a homicide victim to make a statement or
15 submit a statement concerning the release of the inmate to extended supervision.
16 The court may allow any other person to make or submit a statement under this
17 paragraph. Any statement under this paragraph must be relevant to the release of
18 the inmate to extended supervision.

19 (cm) A court may not grant an inmate's petition for release to extended
20 supervision unless the inmate proves, by clear and convincing evidence, that he or
21 she is not a danger to the public.

22 (d) If the court grants the inmate's petition for release to extended supervision,
23 the court may impose conditions on the term of extended supervision.

24 (e) If the court denies the inmate's petition for release to extended supervision,
25 the court shall specify the date on which the inmate may file a subsequent petition

1 under this section. An inmate may file a subsequent petition at any time on or after
2 the date specified by the court, but if the inmate files a subsequent petition for release
3 to extended supervision before the date specified by the court, the court may deny
4 the petition without a hearing.

5 (f) An inmate may appeal an order denying his or her petition for release to
6 extended supervision. In an appeal under this paragraph, the appellate court may
7 reverse an order denying a petition for release to extended supervision only if it
8 determines that the sentencing court improperly exercised its discretion in denying
9 the petition for release to extended supervision.

10 **(6)** (a) In this subsection:

11 1. "Member of the family" means spouse, child, sibling, parent or legal
12 guardian.

13 2. "Victim" means a person against whom a crime has been committed.

14 (b) If an inmate petitions a court under sub. (5) or (9) (b) for release to extended
15 supervision under this section, the clerk of the circuit court in which the petition is
16 filed shall send a copy of the petition and, if a hearing is scheduled, a notice of hearing
17 to the victim of the crime committed by the inmate or, if the victim died as a result
18 of the crime, an adult member of the victim's family or, if the victim is younger than
19 18 years old, the victim's parent or legal guardian, if the victim, adult family member
20 or parent or legal guardian has submitted a card under par. (e) requesting
21 notification.

22 (c) The notice under par. (b) shall inform the persons under par. (b) that they
23 may appear at the hearing under sub. (5) or (9) (b), if a hearing is scheduled, and shall
24 inform them of the manner in which they may provide written statements
25 concerning the inmate's petition for release to extended supervision.

1 (d) The clerk of the circuit court shall make a reasonable effort to send a copy
2 of the inmate's petition to the last-known address of the persons under par. (b) within
3 7 days of the date on which the petition is filed and shall make a reasonable effort
4 to send the notice of hearing, if a hearing is scheduled, to the last-known address of
5 the persons under par. (b), postmarked at least 10 days before the date of the hearing.

6 (e) The director of state courts shall design and prepare cards for a person
7 specified under par. (b) to send to the clerk of the circuit court in which the inmate
8 is convicted and sentenced. The cards shall have space for any such person to provide
9 his or her name and address, the name of the applicable inmate and any other
10 information the director of state courts determines is necessary. The director of state
11 courts shall provide the cards, without charge, to clerks of circuit court. Clerks of
12 circuit court shall provide the cards, without charge, to persons specified in par. (b).
13 These persons may send completed cards to the clerk of the circuit court in which the
14 inmate was convicted and sentenced. All court records or portions of records that
15 relate to mailing addresses of these persons are not subject to inspection or copying
16 under s. 19.35 (1).

17 **(7)** Before a person is released to extended supervision under this section, the
18 department shall notify the municipal police department and the county sheriff for
19 the area where the person will be residing. The notification requirement does not
20 apply if a municipal department or county sheriff submits to the department a
21 written statement waiving the right to be notified. If applicable, the department
22 shall also comply with s. 304.063.

23 **(8)** Any inmate released to extended supervision under this section is subject
24 to all conditions and rules of extended supervision. The department may set
25 conditions of extended supervision in addition to any conditions of extended

1 supervision set by the court under sub. (5) (d) if the conditions set by the department
2 do not conflict with the court's conditions.

3 (9) (a) If a person released to extended supervision under this section violates
4 a condition of extended supervision, the division of hearings and appeals in the
5 department of administration, upon proper notice and hearing, or the department
6 of corrections, if the person on extended supervision waives a hearing, may revoke
7 the extended supervision of the person and return the person to prison.

8 If the person is returned to prison, he or she shall be returned to prison for a specified
9 period of time, as provided under par. (b).

10 (b) If a person is returned to prison under par. (a) after revocation of extended
11 supervision, the department of corrections in the case of a waiver or the division of
12 hearings and appeals in the department of administration in the case of a hearing
13 under par. (a) shall specify a period of time for which the person shall be incarcerated
14 before being eligible for release to extended supervision. The period of time specified
15 under this paragraph may not be less than 5 years and may be extended in
16 accordance with sub. (3).

17 (bm) A person who is returned to prison under par. (a) after revocation of
18 extended supervision may, upon petition to the sentencing court, be released to
19 extended supervision after he or she has served the entire period of time specified
20 in par. (b), including any periods of extension imposed under sub. (3). A person may
21 not file a petition under this paragraph earlier than 90 days before the date on which
22 he or she is eligible to be released to extended supervision. If a person files a petition
23 for release to extended supervision under this paragraph at any time earlier than 90
24 days before the date on which he or she is eligible to be released to extended

1 supervision, the court shall deny the petition without a hearing. The procedures
2 specified in sub. (5) (am) to (f) apply to a petition filed under this paragraph.

3 (c) A person who is subsequently released to extended supervision under par.
4 (b) is subject to all conditions and rules under sub. (8) until the expiration of the
5 sentence.

6 (10) The department may promulgate rules establishing guidelines and
7 criteria for the exercise of discretion under this section.

8 **SECTION 206.** 302.14 of the statutes is amended to read:

9 **302.14 (title) Property of deceased inmates, parolees ~~or~~, probationers**
10 **or persons on extended supervision, disposition.** When an inmate of a prison
11 ~~or~~, a parolee of an institution, a person on extended supervision or a person on
12 probation to the department dies leaving an estate of \$150 or less in the trust of the
13 warden, superintendent or secretary, the warden, superintendent or secretary shall
14 try to determine whether or not the estate is to be probated. If probate proceedings
15 are not commenced within 90 days, the warden, superintendent or secretary shall
16 turn over the money or securities to the nearest of kin as evidenced by the records
17 of the institution and the department.

18 **SECTION 207.** 302.17 (2) of the statutes is amended to read:

19 302.17 (2) The department shall make entries on the register to reflect the
20 progress made by each inmate while incarcerated and the inmate's release on parole
21 or extended supervision, condition at the time of release on parole or extended
22 supervision and progress made while on parole or extended supervision. This
23 subsection does not apply to inmates subject to an order under s. 48.366.

24 **SECTION 208.** 302.25 (4) (c) of the statutes is amended to read:

1 302.25 (4) (c) Inmates confined in an institution pursuant to the terms of this
2 compact shall at all times be subject to the jurisdiction of the sending state and may
3 at any time be removed therefrom for transfer to a prison or other institution within
4 the sending state, for transfer to another institution in which the sending state may
5 have a contractual or other right to confine inmates, for release on probation,
6 extended supervision or parole, for discharge, or for any other purpose permitted by
7 the laws of the sending state; provided, that the sending state shall continue to be
8 obligated to such payments as may be required pursuant to the terms of any contract
9 entered into under the terms of sub. (3).

10 **SECTION 209.** 302.33 (2) (a) (intro.) of the statutes is amended to read:

11 302.33 (2) (a) (intro.) The department shall pay for the maintenance of persons
12 in its custody who are placed in the county jail or other county facility, or in a tribal
13 jail under s. 302.445, pending disposition of parole, extended supervision or
14 probation revocation proceedings subject to the following conditions:

15 **SECTION 210.** 302.33 (2) (b) of the statutes is amended to read:

16 302.33 (2) (b) This subsection applies only to probationers ~~or~~, parolees or
17 persons on extended supervision who were placed on that status in connection with
18 a conviction for a felony. This subsection applies only to confinements initiated after
19 July 2, 1983.

20 **SECTION 211.** 302.335 (title) of the statutes is amended to read:

21 **302.335 (title) Restrictions on detaining probationers and, parolees**
22 **and persons on extended supervision in county or tribal jail.**

23 **SECTION 212.** 302.335 (2) (intro.) of the statutes is amended to read:

24 302.335 (2) (intro.) If a probationer ~~or~~, parolee or person on extended
25 supervision is detained in a county jail or other county facility, or in a tribal jail under

1 s. 302.445, pending disposition of probation ~~or~~, parole or extended supervision
2 revocation proceedings, the following conditions apply:

3 **SECTION 213.** 302.335 (2) (a) (intro.) of the statutes is amended to read:

4 302.335 (2) (a) (intro.) The department shall begin a preliminary revocation
5 hearing within 15 working days after the probationer ~~or~~, parolee or person on
6 extended supervision is detained in the county jail, other county facility or the tribal
7 jail. The department may extend, for cause, this deadline by not more than 5
8 additional working days upon written notice to the probationer ~~or~~, parolee or person
9 on extended supervision and the sheriff, the tribal chief of police or other person in
10 charge of the county facility. This paragraph does not apply under any of the
11 following circumstances:

12 **SECTION 214.** 302.335 (2) (a) 1. of the statutes is amended to read:

13 302.335 (2) (a) 1. The probationer ~~or~~, parolee or person on extended supervision
14 has waived, in writing, the right to a preliminary hearing.

15 **SECTION 215.** 302.335 (2) (a) 2. of the statutes is amended to read:

16 302.335 (2) (a) 2. The probationer ~~or~~, parolee or person on extended supervision
17 has given and signed a written statement that admits the violation.

18 **SECTION 216.** 302.335 (2) (a) 3. of the statutes is amended to read:

19 302.335 (2) (a) 3. There has been a finding of probable cause in a felony criminal
20 action and the probationer ~~or~~, parolee or person on extended supervision is bound
21 over for trial for the same or similar conduct that is alleged to be a violation of
22 supervision.

23 **SECTION 217.** 302.335 (2) (b) of the statutes is amended to read:

24 302.335 (2) (b) The division shall begin a final revocation hearing within 50
25 calendar days after the person is detained in the county jail, other county facility or

1 the tribal jail. The department may request the division to extend this deadline by
2 not more than 10 additional calendar days, upon notice to the probationer ~~or~~, parolee
3 or person on extended supervision, the sheriff, the tribal chief of police or other
4 person in charge of the facility, and the division. The division may grant the request.
5 This paragraph does not apply if the probationer ~~or~~, parolee or person on extended
6 supervision has waived the right to a final revocation hearing.

7 **SECTION 218.** 302.335 (3) of the statutes is amended to read:

8 302.335 (3) If there is a failure to begin a hearing within the time requirements
9 under sub. (2), the sheriff, the tribal chief of police or other person in charge of a
10 county facility shall notify the department at least 24 hours before releasing a
11 probationer ~~or~~, parolee or person on extended supervision under this subsection.

12 **SECTION 219.** 302.335 (4) of the statutes is amended to read:

13 302.335 (4) This section applies to probationers ~~or~~, parolees or persons on
14 extended supervision who begin detainment in a county jail, other county facility or
15 a tribal jail on or after July 1, 1990, except that this section does not apply to any
16 probationer ~~or~~, parolee or person on extended supervision who is in the county jail,
17 other facility or the tribal jail and serving a sentence.

18 **SECTION 220.** 303.065 (1) of the statutes is renumbered 303.065 (1) (a) and
19 amended to read:

20 303.065 (1) (a) ~~The~~ Except as provided in par. (b), the department may grant
21 work release privileges to any person incarcerated within the state prisons, ~~except~~
22 ~~that no,~~

23 (b) 1. A person serving a life sentence, other than a life sentence specified in
24 subd. 2., may be considered for work release until only after he or she has reached
25 parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever is

1 applicable, ~~and no~~ or he or she has reached his or her extended supervision eligibility
2 date under s. 302.114 (9) (b) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

3 2. A person serving a life sentence under s. 939.62 (2m) or 973.014 (1) (c) or (1g)
4 (a) 3. may not be considered for work release.

5 **SECTION 221.** 303.21 (1) (a) of the statutes, as affected by 1997 Wisconsin Act
6 3, is amended to read:

7 303.21 (1) (a) If an inmate of a state institution, in the performance of assigned
8 work is injured so as to be permanently incapacitated or to have materially reduced
9 earning power, the inmate may, upon being released from such institution, either
10 upon release on parole or extended supervision or upon final discharge, be allowed
11 and paid such compensation as the department of workforce development finds the
12 inmate entitled to. The inmate shall be compensated on the same basis as if the
13 injury had been covered by ch. 102, except that the total paid to any inmate may not
14 exceed \$10,000 and may be paid in instalments. If the injury results from
15 employment in a prison industry, the payment shall be made from the revolving
16 appropriation for its operation. If there is no revolving appropriation, payment shall
17 be made from the general fund. In case of dispute, the procedure for hearing, award
18 and appeal shall be as set forth in ss. 102.16 to 102.26.

19 **SECTION 222.** 303.215 of the statutes is amended to read:

20 **303.215 Compensation to prisoners or residents injured in prison**
21 **industries employment.** In accordance with s. 102.03 (2), for an inmate of a state
22 institution or a resident subject to s. 303.01 (1) (b) employed under s. 303.06 (2),
23 compensation under ch. 102 on being released from the applicable institution, on
24 parole, on extended supervision, on final discharge or in accordance with ch. 938,
25 whichever is applicable, is the exclusive remedy against the department and any

1 employe of the department for any injury sustained by the inmate or resident while
2 performing service growing out of and incidental to that employment. The
3 department shall make any payments required under this section from the revolving
4 appropriation for the operation of prison industries or, if there is no revolving
5 appropriation for the operation of prison industries, from the general fund.

6 **SECTION 223.** 304.02 (3) (c) of the statutes is amended to read:

7 304.02 (3) (c) The institution social worker or the probation, extended
8 supervision and parole agent of record has reason to believe the prisoner will be able
9 to maintain himself or herself in society without engaging in assaultive activity.

10 **SECTION 224.** 304.02 (4) of the statutes is amended to read:

11 304.02 (4) If a person is sentenced under s. 973.032, he or she is eligible for a
12 release to parole supervision under this section and remains in the intensive
13 sanctions program unless discharged by the department under s. 301.048 (6) (a).

14 **SECTION 225.** 304.02 (5) of the statutes is amended to read:

15 304.02 (5) Notwithstanding subs. (1) to (3), a prisoner who is serving a life
16 sentence under s. 939.62 (2m) or 973.014 (1) (c) or (1g) is not eligible for release to
17 parole supervision under this section.

18 **SECTION 226.** 304.02 (6) of the statutes is created to read:

19 304.02 (6) Notwithstanding subs. (1) to (3), a prisoner is not eligible for release
20 to parole supervision under this section if he or she is serving a bifurcated sentence
21 under s. 973.01.

22 **SECTION 227.** 304.06 (1) (b) of the statutes is amended to read:

23 304.06 (1) (b) Except as provided in sub. (1m) or s. 302.045 (3), 961.49 (2),
24 973.01 (6) or 973.0135, the parole commission may parole an inmate of the Wisconsin
25 state prisons or any felon or any person serving at least one year or more in a county

1 house of correction or a county reforestation camp organized under s. 303.07, when
2 he or she has served 25% of the sentence imposed for the offense, or 6 months,
3 whichever is greater. Except as provided in s. 939.62 (2m) or 973.014 (1) (b) or (c),
4 (1g) or (2), the parole commission may parole an inmate serving a life term when he
5 or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject
6 to extension using the formulas under s. 302.11 (2). The person serving the life term
7 shall be given credit for time served prior to sentencing under s. 973.155, including
8 good time under s. 973.155 (4). The secretary may grant special action parole
9 releases under s. 304.02. The department or the parole commission shall not provide
10 any convicted offender or other person sentenced to the department's custody any
11 parole eligibility or evaluation until the person has been confined at least 60 days
12 following sentencing.

13 **SECTION 228.** 304.06 (1y) of the statutes is amended to read:

14 304.06 (1y) If a person is sentenced under s. 973.032, he or she is eligible for
15 a release to parole supervision under this section and remains in the intensive
16 sanctions program unless discharged by the department under s. 301.048 (6) (a).

17 **SECTION 229.** 304.062 (title) of the statutes is amended to read:

18 **304.062 (title) Ordering parolees and persons on extended supervision**
19 **to perform community service work.**

20 **SECTION 230.** 304.062 (1) of the statutes is amended to read:

21 304.062 (1) The department may order that a parolee or a person on extended
22 supervision perform community service work for a public agency or a nonprofit
23 charitable organization. An order may apply only if agreed to by the parolee or the
24 person on extended supervision and the organization or agency. The department
25 shall ensure that the parolee or the person on extended supervision is provided a

1 written statement of the terms of the community service order and shall monitor the
2 parolee's compliance of the parolee or person on extended supervision with the
3 community service order.

4 **SECTION 231.** 304.062 (2) of the statutes is amended to read:

5 304.062 (2) Any organization or agency acting in good faith to which a parolee
6 or person on extended supervision is assigned under an order under this section has
7 immunity from any civil liability in excess of \$25,000 for acts or omissions by or
8 impacting on the parolee or person on extended supervision. The department has
9 immunity from any civil liability for acts or omissions by or impacting on the parolee
10 or person on extended supervision regarding the assignment under this section.

11 **SECTION 232.** 304.063 (title) of the statutes is amended to read:

12 **304.063** (title) **Notification prior to release on extended supervision or**
13 **parole.**

14 **SECTION 233.** 304.063 (2) (intro.) of the statutes is amended to read:

15 304.063 (2) (intro.) Before a prisoner is released on parole under s. 302.11,
16 304.02 or 304.06 or on extended supervision under s. 302.113 or 302.114, if
17 applicable, for a violation of s. 940.01, 940.03, 940.05, 940.225 (1) or (2), 948.02 (1)
18 or (2), 948.025, 948.06 or 948.07, the department shall make a reasonable effort to
19 notify all of the following persons, if they can be found, in accordance with sub. (3)
20 and after receiving a completed card under sub. (4):

21 **SECTION 234.** 304.063 (3) of the statutes is amended to read:

22 304.063 (3) The department shall make a reasonable effort to send the notice,
23 postmarked at least 7 days before a prisoner is released on parole or extended
24 supervision, to the last-known address of the persons under sub. (2).

25 **SECTION 235.** 304.071 (2) of the statutes is amended to read:

1 304.071 (2) If a prisoner is not eligible for parole under s. 939.62 (2m), 961.49
2 (2), 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he or she is not eligible for parole
3 under this section.

4 **SECTION 236.** 304.072 (title) of the statutes is amended to read:

5 **304.072** (title) **Period of probation, extended supervision or parole**
6 **tolled.**

7 **SECTION 237.** 304.072 (1) of the statutes is amended to read:

8 304.072 (1) If the department of corrections in the case of a parolee ~~or~~,
9 probationer or person on extended supervision who is reinstated or waives a hearing
10 or the division of hearings and appeals in the department of administration in the
11 case of a hearing determines that a parolee ~~or~~, probationer or person on extended
12 supervision has violated the terms of his or her supervision, the department or
13 division may toll all or any part of the period of time between the date of the violation
14 and the date an order of revocation or reinstatement is entered, subject to credit
15 according to the terms of s. 973.155 for any time the parolee ~~or~~, probationer or person
16 on extended supervision spent confined in connection with the violation.

17 **SECTION 238.** 304.072 (2) of the statutes is amended to read:

18 304.072 (2) If a parolee ~~or~~, probationer or person on extended supervision is
19 alleged to have violated the terms of his or her supervision but the department or
20 division determines that the alleged violation was not proven, the period between the
21 alleged violation and the determination shall be treated as service of the
22 probationary, extended supervision or parole period.

23 **SECTION 239.** 304.072 (3) of the statutes is amended to read:

24 304.072 (3) Except as provided in s. 973.09 (3) (b), the department preserves
25 jurisdiction over a probationer ~~or~~, parolee or person on extended supervision if it

1 commences an investigation, issues a violation report or issues an apprehension
2 request concerning an alleged violation prior to the expiration of the probationer's
3 ~~or~~, parolee's or person's term of supervision.

4 **SECTION 240.** 304.072 (4) of the statutes is amended to read:

5 304.072 (4) The sentence of a revoked parolee or person on extended
6 supervision resumes running on the day he or she is received at a correctional
7 institution subject to sentence credit for the period of custody in a jail, correctional
8 institution or any other detention facility pending revocation according to the terms
9 of s. 973.155.

10 **SECTION 241.** 304.073 (2) of the statutes, as affected by 1997 Wisconsin Act 27,
11 is amended to read:

12 304.073 (2) Beginning on January 1, 1996, the department shall charge a fee
13 to any probationer ~~or~~, parolee or person on extended supervision who is under
14 minimum or administrative supervision and is supervised by the department. The
15 fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The
16 department shall set the fee sufficient to cover the cost of supervision. The
17 department shall collect moneys for the fee charged under this subsection and credit
18 those moneys to the appropriation account under s. 20.410 (1) (ge).

19 **SECTION 242.** 304.073 (2m) (a) of the statutes, as created by 1997 Wisconsin Act
20 27, is amended to read:

21 304.073 (2m) (a) If a probationer ~~or~~, parolee or person on extended supervision
22 who owes unpaid fees to the department under sub. (2) is discharged from probation
23 or from his or her sentence before the department collects the unpaid fees, the
24 department shall, at the time of discharge, issue a notice to the probationer ~~or~~,
25 parolee or person on extended supervision that states that he or she owes unpaid fees

1 under sub. (2) and that he or she is responsible for the payment of the unpaid fees.
2 The notice under this paragraph shall be issued with the certificate of discharge
3 required under s. 304.078 or 973.09 (5).

4 **SECTION 243.** 304.073 (4) of the statutes, as created by 1997 Wisconsin Act 27,
5 is amended to read:

6 304.073 (4) The department may decide not to charge a fee under sub. (2) to
7 any probationer ~~or~~, parolee or person on extended supervision if the probationer ~~or~~,
8 parolee or person on extended supervision demonstrates that he or she is unable to
9 pay the fee because of any of the following:

10 (a) The probationer ~~or~~, parolee or person on extended supervision is undergoing
11 treatment approved by the department and is unable to work.

12 (b) The probationer ~~or~~, parolee or person on extended supervision has a
13 statement from a physician certifying to the department that the probationer ~~or~~,
14 parolee or person on extended supervision should be excused from working for
15 medical reasons.

16 **SECTION 244.** 304.074 (title) of the statutes is amended to read:

17 **304.074 (title) Reimbursement fee for persons on probation and,**
18 **parole, and extended supervision.**

19 **SECTION 245.** 304.074 (2) of the statutes is amended to read:

20 304.074 (2) Beginning on January 1, 1996, the department shall charge a fee
21 to probationers ~~and~~, parolees and persons on extended supervision to partially
22 reimburse the department for the costs of providing supervision and services. The
23 department shall set varying rates for probationers ~~and~~, parolees or persons on
24 extended supervision based on ability to pay and with the goal of receiving at least
25 \$1 per day, if appropriate, from each probationer ~~and~~, parolee and person on

1 extended supervision. The department shall not charge a fee while the probationer
2 ~~or~~, parolee or person on extended supervision is exempt under sub. (3). The
3 department shall collect moneys for the fees charged under this subsection and credit
4 those moneys to the appropriation account under s. 20.410 (1) (gf).

5 **SECTION 246.** 304.074 (3) (intro.) of the statutes is amended to read:

6 304.074 (3) (intro.) The department may decide not to charge a fee under sub.
7 (2) to any probationer ~~or~~, parolee or person on extended supervision while he or she
8 meets any of the following conditions:

9 **SECTION 247.** 304.074 (3) (d) of the statutes is amended to read:

10 304.074 (3) (d) Has a statement from a physician certifying to the department
11 that the probationer ~~or~~, parolee or person on extended supervision should be excused
12 from working for medical reasons.

13 **SECTION 248.** 304.074 (4) of the statutes is amended to read:

14 304.074 (4) The fee under sub. (2) does not apply to any probationer ~~or~~, parolee
15 or person on extended supervision who is under minimum or administrative
16 supervision.

17 **SECTION 249.** 304.074 (4m) (a) of the statutes, as created by 1997 Wisconsin Act
18 27, is amended to read:

19 304.074 (4m) (a) If a probationer ~~or~~, parolee or person on extended supervision
20 who owes unpaid fees to the department under sub. (2) is discharged from probation
21 or from his or her sentence before the department collects the unpaid fees, the
22 department shall, at the time of discharge, issue a notice to the probationer ~~or~~,
23 parolee or person on extended supervision that states that he or she owes unpaid fees
24 under sub. (2) and that he or she is responsible for the payment of the unpaid fees.

1 The notice under this paragraph shall be issued with the certificate of discharge
2 required under s. 304.078 or 973.09 (5).

3 **SECTION 250.** 304.075 of the statutes is amended to read:

4 **304.075** (title) ~~Probationer and parolee loan~~ Loan fund for
5 probationers, parolees and persons on extended supervision. The
6 department shall create a revolving fund out of any moneys in its hands belonging
7 to probationers and, parolees or persons on extended supervision who absconded, or
8 whose whereabouts are unknown. The fund shall be used to defray the expenses of
9 clothing, transportation, maintenance and other necessities for probationers and,
10 parolees and persons on extended supervision who are without means to secure those
11 necessities. All payments made from the fund shall be repaid by probationers or,
12 parolees or persons on extended supervision for whose benefit they are made
13 whenever possible; and any moneys belonging to them so paid into the revolving fund
14 shall be repaid to them in accordance with law, in case a claim therefor is filed with
15 the department upon showing the legal right of the claimant to such money.

16 **SECTION 251.** 304.13 (1) (intro.) of the statutes is amended to read:

17 304.13 (1) (intro.) That it shall be competent for the duly constituted judicial
18 and administrative authorities of a sending state to permit any person convicted of
19 an offense within the sending state and placed on probation or released on extended
20 supervision or parole to reside in any receiving state while on probation, extended
21 supervision or parole, if:

22 **SECTION 252.** 304.13 (2) of the statutes is amended to read:

23 304.13 (2) That each receiving state will assume the duties of visitation of and
24 supervision over probationers, persons on extended supervision or parolees of any
25 sending state and in the exercise of those duties will be governed by the same

1 standards that prevail for its own probationers, persons on extended supervision and
2 parolees.

3 **SECTION 253.** 304.13 (3) of the statutes is amended to read:

4 304.13 (3) That the duly accredited officers of a sending state may at all times
5 enter a receiving state and there apprehend and retake any person on probation,
6 extended supervision or parole. For that purpose no formalities will be required
7 other than establishing the authority of the officer and the identity of the person to
8 be retaken. All legal requirements to obtain extradition of fugitives from justice are
9 expressly waived on the part of states party hereto, as to such persons. The decision
10 of the sending state to retake a person on probation, extended supervision or parole
11 shall be conclusive upon and not reviewable within the receiving state; provided,
12 however, that if at the time when a state seeks to retake a probationer, person on
13 extended supervision or parolee there should be pending against that person within
14 the receiving state any criminal charge, or that person should be suspected of having
15 committed within such state a criminal offense, that person shall not be retaken
16 without the consent of the receiving state until discharged from prosecution or from
17 imprisonment for such offense.

18 **SECTION 254.** 304.13 (7) of the statutes is amended to read:

19 304.13 (7) That this compact shall continue in force and remain binding upon
20 such ratifying state until renounced by it. The duties and obligations hereunder of
21 a renouncing state shall continue as to parolees, persons on extended supervision or
22 probationers residing therein at the time of withdrawal or until finally discharged
23 by the sending state. Renunciation of this compact shall be by the same authority
24 which ratified it, by sending 6 months' notice in writing of its intention to withdraw
25 the compact to the other states party thereto.

1 **SECTION 255.** 304.13 (8) (b) of the statutes is amended to read:

2 304.13 (8) (b) “Sending state” means a party to this compact permitting its
3 probationers, persons on extended supervision and parolees to reside in a receiving
4 state.

5 **SECTION 256.** 304.135 of the statutes is amended to read:

6 **304.135** (title) **Out-of-state parolee supervision of parolees and**
7 **persons on extended supervision without compact.** The department may
8 permit any person convicted of an offense within this state and placed on probation
9 or released on extended supervision or parole to reside in any other state not a party
10 to the compact authorized by s. 304.13 whenever the authorities of the receiving state
11 agree to assume the duties of visitation of and supervision over the probationer,
12 person on extended supervision or parolee, governed by the same standards that
13 prevail for its own probationers, persons on extended supervision and parolees, on
14 the same terms as are provided in s. 304.13 (1) and (2) in the case of states signatory
15 to the compact. Before permitting any probationer, person on extended supervision
16 or parolee to leave this state under this section, the department shall obtain from him
17 or her a signed agreement to return to this state upon demand of the department and
18 an irrevocable waiver of all procedure incidental to extradition. The department
19 may, in like manner, receive for supervision probationers, persons on extended
20 supervision and parolees convicted in states not signatory to the compact, and shall
21 have the same custody and control of those persons as it has over probationers,
22 persons on extended supervision and parolees of this state.

23 **SECTION 257.** 304.137 of the statutes is amended to read:

24 **304.137 Determination concerning submission of human biological**
25 **specimen.** If the department accepts supervision of a probationer, person on

1 extended supervision or parolee from another state under s. 304.13 or 304.135, the
2 department shall determine whether the violation of law for which the person is on
3 probation, extended supervision or parole is comparable to a violation of s. 940.225
4 (1) or (2), 948.02 (1) or (2) or 948.025. If the department determines that a person
5 on probation, extended supervision or parole from another state violated a law that
6 is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the
7 department shall direct the probationer, person on extended supervision or parolee
8 to provide a biological specimen under s. 165.76.

9 **SECTION 258.** 304.14 of the statutes is amended to read:

10 **304.14 (title) Cooperative return of parole, extended supervision and**
11 **probation violators.** The secretary may deputize any person regularly employed
12 by another state to act as an officer and agent of this state in effecting the return of
13 any person who has violated the terms and conditions of parole, extended
14 supervision or probation as granted by this state. In any matter relating to the
15 return of such person, any agent so deputized shall have all the powers of a police
16 officer of this state. Any deputization pursuant to this section shall be in writing and
17 any person authorized to act as an agent under this section shall carry formal
18 evidence of the deputization and shall produce the same upon demand.

19 **SECTION 259.** 341.605 (3) of the statutes is amended to read:

20 341.605 (3) Whoever violates sub. (1) or (2) may be fined not more than \$5,000
21 or imprisoned for not more than ~~5~~ 7 years and 6 months, or both, for each violation.

22 **SECTION 260.** 342.06 (2) of the statutes is amended to read:

23 342.06 (2) Any person who knowingly makes a false statement in an
24 application for a certificate of title may be fined not more than \$5,000 or imprisoned
25 not more than ~~5~~ 7 years and 6 months or both.

1 **SECTION 261.** 342.065 (4) (b) of the statutes is amended to read:

2 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud may be
3 fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months
4 or both.

5 **SECTION 262.** 342.155 (4) (b) of the statutes is amended to read:

6 342.155 (4) (b) Any person who violates this section with intent to defraud may
7 be fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months
8 or both.

9 **SECTION 263.** 342.156 (6) (b) of the statutes is amended to read:

10 342.156 (6) (b) Any person who violates this section with intent to defraud may
11 be fined not more than \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months
12 or both.

13 **SECTION 264.** 342.30 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
14 27, is amended to read:

15 342.30 (3) (a) Any person who violates sub. (1g) may be fined not more than
16 \$5,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

17 **SECTION 265.** 342.32 (3) of the statutes is amended to read:

18 342.32 (3) Whoever violates sub. (1) or (2) may be fined not more than \$5,000
19 or imprisoned for not more than ~~5~~ 7 years and 6 months, or both, for each violation.

20 **SECTION 266.** 343.06 (1) (i) of the statutes is amended to read:

21 343.06 (1) (i) To any person who has been convicted of any offense specified
22 under ss. 940.225, 948.02, 948.025 and 948.07 or adjudged delinquent under ch. 938
23 for a like or similar offense, when the sentencing court makes a finding that issuance
24 of a license will be inimical to the public safety and welfare. The prohibition against
25 issuance of a license to the offenders shall apply immediately upon receipt of a record

1 of the conviction and the court finding by the secretary, for a period of one year or
2 until discharge from any jail or prison sentence or any period of probation, extended
3 supervision or parole with respect to the offenses specified, whichever date is the
4 later. Receipt by the offender of a certificate of discharge from the department of
5 corrections or other responsible supervising agency, after one year has elapsed since
6 the prohibition began, entitles the holder to apply for an operator's license. The
7 applicant may be required to present the certificate of discharge to the secretary if
8 the latter deems it necessary.

9 **SECTION 267.** 343.30 (2d) of the statutes is amended to read:

10 343.30 (2d) A court may suspend or revoke a person's operating privilege upon
11 conviction of any offense specified under ss. 940.225, 948.02, 948.025 and 948.07, if
12 the court finds that it is inimical to the public safety and welfare for the offender to
13 have operating privileges. The suspension or revocation shall be for one year or until
14 discharge from prison or jail sentence or probation, extended supervision or parole
15 with respect to the offenses specified, whichever date is later. Receipt of a certificate
16 of discharge from the department of corrections or other responsible supervising
17 agency, after one year has elapsed since the suspension or revocation, entitles the
18 holder to reinstatement of operating privileges. The holder may be required to
19 present the certificate to the secretary if the secretary deems necessary.

20 **SECTION 268.** 344.48 (2) of the statutes is amended to read:

21 344.48 (2) Any person violating this section may be fined not more than \$1,000
22 or imprisoned for not more than ~~one year~~ 2 years or both.

23 **SECTION 269.** 346.17 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
24 (Assembly Bill 419), is amended to read:

1 346.17 (3) (a) Except as provided in par. (b), (c) or (d), any person violating s.
2 346.04 (3) shall be fined not less than \$600 nor more than \$10,000 and may be
3 imprisoned for not more than ~~2~~ 3 years.

4 **SECTION 270.** 346.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act
5 (Assembly Bill 419), is amended to read:

6 346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
7 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
8 the person shall be fined not less than \$1,000 nor more than \$10,000 and may be
9 imprisoned for not more than ~~2~~ 3 years.

10 **SECTION 271.** 346.17 (3) (c) of the statutes, as affected by 1997 Wisconsin Act
11 (Assembly Bill 419), is amended to read:

12 346.17 (3) (c) If the violation results in great bodily harm, as defined in s. 939.22
13 (14), to another, the person shall be fined not less than \$1,100 nor more than \$10,000
14 and may be imprisoned for not more than ~~2~~ 3 years.

15 **SECTION 272.** 346.17 (3) (d) of the statutes, as affected by 1997 Wisconsin Act
16 (Assembly Bill 419), is amended to read:

17 346.17 (3) (d) If the violation results in the death of another, the person shall
18 be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not
19 more than ~~5~~ 7 years and 6 months.

20 **SECTION 273.** 346.65 (5) of the statutes is amended to read:

21 346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)
22 shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for
23 not less than 90 days nor more than ~~18~~ 2 years and 3 months.

24 **SECTION 274.** 346.74 (5) (b) of the statutes is amended to read:

1 346.74 (5) (b) Shall be fined not less than \$300 nor more than \$5,000 or
2 imprisoned not less than 10 days nor more than ~~one year~~ 2 years or both if the
3 accident involved injury to a person but the person did not suffer great bodily harm.

4 **SECTION 275.** 346.74 (5) (c) of the statutes is amended to read:

5 346.74 (5) (c) May be fined not more than \$10,000 or imprisoned not more than
6 ~~2 3~~ 2 3 years or both if the accident involved injury to a person and the person suffered
7 great bodily harm.

8 **SECTION 276.** 346.74 (5) (d) of the statutes is amended to read:

9 346.74 (5) (d) May be fined not more than \$10,000 or imprisoned not more than
10 ~~5 7~~ 7 years and 6 months or both if the accident involved death to a person.

11 **SECTION 277.** 350.11 (2m) of the statutes is amended to read:

12 350.11 (2m) Any person who violates s. 350.135 (1) shall be fined not more than
13 \$10,000 or imprisoned for not more than ~~2 3~~ 2 3 years or both if the violation causes the
14 death or injury, as defined in s. 30.67 (3) (b), of another person.

15 **SECTION 278.** 446.07 of the statutes is amended to read:

16 **446.07 Penalty.** Anyone violating this chapter may be fined not less than \$100
17 nor more than \$500, or imprisoned for not more than ~~one year~~ 2 years or both.

18 **SECTION 279.** 447.09 of the statutes is amended to read:

19 **447.09 Penalties.** Any person who violates this chapter may be fined not more
20 than \$1,000 or imprisoned for not more than one year in the county jail or both for
21 the first offense and may be fined not more than \$2,500 or imprisoned for not more
22 than ~~2 3~~ 2 3 years or both for the 2nd or subsequent conviction within 5 years.

23 **SECTION 280.** 450.11 (9) (b) of the statutes is amended to read:

24 450.11 (9) (b) Any person who delivers, or who possesses with intent to
25 manufacture or deliver, a prescription drug in violation of this section may be fined

1 not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months or
2 both.

3 **SECTION 281.** 450.14 (5) of the statutes is amended to read:

4 450.14 (5) Any person who violates this section may be fined not less than \$100
5 nor more than \$1,000 or imprisoned for not less than one year nor more than 5 7 years
6 and 6 months or both.

7 **SECTION 282.** 450.15 (2) of the statutes is amended to read:

8 450.15 (2) Any person who violates this section may be fined not less than \$100
9 nor more than \$1,000 or imprisoned for not less than one year nor more than 5 7 years
10 and 6 months or both.

11 **SECTION 283.** 551.58 (1) of the statutes is amended to read:

12 551.58 (1) Any person who wilfully violates any provision of this chapter except
13 s. 551.54, or any rule under this chapter, or any order of which the person has notice,
14 or who violates s. 551.54 knowing or having reasonable cause to believe that the
15 statement made was false or misleading in any material respect, may be fined not
16 more than \$5,000 or imprisoned for not more than 5 7 years and 6 months or both.
17 Each of the acts specified shall constitute a separate offense and a prosecution or
18 conviction for any one of such offenses shall not bar prosecution or conviction for any
19 other offense.

20 **SECTION 284.** 552.19 (1) of the statutes is amended to read:

21 552.19 (1) Any person, including a controlling person of an offer or target
22 company, who wilfully violates this chapter or any rule under this chapter, or any
23 order of which the person has notice, may be fined not more than \$5,000 or
24 imprisoned for not more than 5 7 years and 6 months or both. Each of the acts

1 specified constitutes a separate offense and a prosecution or conviction for any one
2 of the offenses does not bar prosecution or conviction for any other offense.

3 **SECTION 285.** 553.52 (1) of the statutes is amended to read:

4 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of
5 which the person has notice, or who violates s. 553.41 (1) knowing or having
6 reasonable cause to believe either that the statement made was false or misleading
7 in any material respect or that the failure to report a material event under s. 553.31
8 (1) was false or misleading in any material respect, may be fined not more than
9 \$5,000 or imprisoned for not more than 5 7 years and 6 months or both. Each of the
10 acts specified is a separate offense, and a prosecution or conviction for any one of
11 those offenses does not bar prosecution or conviction for any other offense.

12 **SECTION 286.** 553.52 (2) of the statutes is amended to read:

13 553.52 (2) Any person who employs, directly or indirectly, any device, scheme
14 or artifice to defraud in connection with the offer or sale of any franchise or engages,
15 directly or indirectly, in any act, practice, or course of business which operates or
16 would operate as a fraud or deceit upon any person in connection with the offer or
17 sale of any franchise shall be fined not more than \$5,000 or imprisoned for not more
18 than 5 7 years and 6 months or both.

19 **SECTION 287.** 562.13 (3) of the statutes is amended to read:

20 562.13 (3) Whoever violates s. 562.11 (2) or (3) may be fined not more than
21 \$10,000 or imprisoned for not more than 2 3 years or both.

22 **SECTION 288.** 562.13 (4) of the statutes is amended to read:

23 562.13 (4) Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 may be
24 fined not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months
25 or both.

1 **SECTION 289.** 563.14 (2) of the statutes is amended to read:

2 563.14 (2) The supervising member and member responsible for the proper
3 utilization of gross receipts are active members of the applicant organization who,
4 subject to ss. 111.321, 111.322 and 111.335, have never been convicted of a felony or,
5 if convicted, have received a pardon or have been released from parole, extended
6 supervision or probation for at least 5 years.

7 **SECTION 290.** 563.27 (1) of the statutes is amended to read:

8 563.27 (1) Subject to ss. 111.321, 111.322 and 111.335, a person convicted of a
9 felony who has not received a pardon or has not been released from parole, extended
10 supervision or probation for at least 5 years.

11 **SECTION 291.** 563.51 (29) (b) of the statutes is amended to read:

12 563.51 (29) (b) Subject to ss. 111.321, 111.322 and 111.335, has never been
13 convicted of a felony or, if convicted, has been pardoned or released from probation,
14 extended supervision or parole for at least 5 years.

15 **SECTION 292.** 565.50 (2) of the statutes is amended to read:

16 565.50 (2) Any person who alters or forges a lottery ticket or share or
17 intentionally utters or transfers an altered or forged lottery ticket or share shall be
18 fined not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months
19 or both.

20 **SECTION 293.** 565.50 (3) of the statutes is amended to read:

21 565.50 (3) Any person who possesses an altered or forged lottery ticket or share
22 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not
23 more than 2 3 years or both.

24 **SECTION 294.** 601.64 (4) of the statutes, as affected by 1997 Wisconsin Act 27,
25 is amended to read:

1 601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally
2 permits any person over whom he or she has authority to violate or intentionally aids
3 any person in violating any insurance statute or rule of this state, s. 149.13 or
4 149.144 or any effective order issued under s. 601.41 (4) may, unless a specific penalty
5 is provided elsewhere in the statutes, be fined not more than \$10,000 if a corporation
6 or if a natural person be fined not more than \$5,000 or imprisoned for not to exceed
7 ~~3~~ more than 4 years and 6 months or both. Intent has the meaning expressed under
8 s. 939.23.

9 **SECTION 295.** 641.19 (4) (a) of the statutes is amended to read:

10 641.19 (4) (a) Any person who wilfully violates or fails to comply with any
11 provision of this chapter or the rules promulgated thereunder or who, knowingly,
12 makes a false statement, a false representation of a material fact, or who fails to
13 disclose a material fact in any registration, examination, statement or report
14 required under this chapter or the rules promulgated thereunder, may be fined not
15 more than \$5,000 or imprisoned ~~for~~ not more than ~~5~~ 7 years and 6 months or both.

16 **SECTION 296.** 641.19 (4) (b) of the statutes is amended to read:

17 641.19 (4) (b) Any person who embezzles, steals, or unlawfully and wilfully
18 abstracts or converts to his or her own use or to the use of another, any of the moneys,
19 funds, securities, premiums, credits, property, or other assets of any employe welfare
20 fund, or of any fund connected therewith, shall be fined not more than \$10,000 or
21 imprisoned ~~for~~ not more than ~~5~~ 7 years, and 6 months or both.

22 **SECTION 297.** 765.30 (1) (intro.) of the statutes is amended to read:

23 765.30 (1) (intro.) The following shall be fined not less than \$200 nor more
24 than \$1,000, or imprisoned ~~for~~ not more than ~~one year,~~ 2 years or both:

25 **SECTION 298.** 765.30 (2) (intro.) of the statutes is amended to read:

1 765.30 (2) (intro.) The following shall be fined not less than \$100 nor more
2 than \$1,000, or imprisoned for not more than ~~one year~~, 2 years or both:

3 **SECTION 299.** 768.07 of the statutes is amended to read:

4 **768.07 Penalty.** Any person who violates any provision of this chapter may
5 be fined not less than \$100 nor more than \$1,000 or imprisoned for not more than ~~one~~
6 year, 2 years or both.

7 **SECTION 300.** 783.07 of the statutes is amended to read:

8 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be
9 directed to any public officer, body, board or person, commanding the performance
10 of any duty specially enjoined by law, if it shall appear to the court that such officer
11 or person or any member of such body or board has, without just excuse, refused or
12 neglected to perform the duty so enjoined the court may impose a fine, not exceeding
13 \$5,000, upon every such officer, person or member of such body or board, or sentence
14 the officer, person or member to imprisonment for ~~a term not exceeding 5~~ more than
15 7 years and 6 months.

16 **SECTION 301.** 801.50 (5) of the statutes is amended to read:

17 801.50 (5) Venue of an action to review a probation, extended supervision or
18 parole revocation or a refusal of parole by certiorari shall be the county in which the
19 relator was last convicted of an offense for which the relator was on probation,
20 extended supervision or parole or for which the relator is currently incarcerated.

21 **SECTION 302.** 938.183 (3) of the statutes, as affected by 1997 Wisconsin Act 27,
22 is amended to read:

23 938.183 (3) When a juvenile who is subject to a criminal penalty under sub.
24 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a
25 state prison named in s. 302.01. If a juvenile who is subject to a criminal penalty

1 under sub. (1m) or (2) is 15 years of age or over, the department may transfer the
2 juvenile to the Racine youthful offender correctional facility named in s. 302.01 as
3 provided in s. 938.357 (4) (d). A juvenile who is subject to a criminal penalty under
4 sub. (1m) or (2) for an act committed before July 1, 1999, is eligible for parole under
5 s. 304.06.

6 **SECTION 303.** 938.78 (2) (d) 5. of the statutes is amended to read:

7 938.78 (2) (d) 5. On parole under s. 302.11 or ch. 304 or on extended supervision
8 under s. 302.113 or 302.114.

9 **SECTION 304.** 938.991 (1) of the statutes is amended to read:

10 938.991 (1) ARTICLE I - FINDINGS AND PURPOSES. That juveniles who are not
11 under proper supervision and control, or who have absconded, escaped or run away,
12 are likely to endanger their own health, morals and welfare, and the health, morals
13 and welfare of others. The cooperation of the states party to this compact is therefore
14 necessary to provide for the welfare and protection of juveniles and of the public with
15 respect to (1) cooperative supervision of delinquent juveniles on probation, extended
16 supervision or parole; (2) the return, from one state to another, of delinquent
17 juveniles who have escaped or absconded; (3) the return, from one state to another,
18 of nondelinquent juveniles who have run away from home; and (4) additional
19 measures for the protection of juveniles and of the public, which any 2 or more of the
20 party states may find desirable to undertake cooperatively. In carrying out the
21 provisions of this compact the party states shall be guided by the noncriminal,
22 reformatory and protective policies which guide their laws concerning delinquent,
23 neglected or dependent juveniles generally. It shall be the policy of the states party
24 to this compact to cooperate and observe their respective responsibilities for the
25 prompt return and acceptance of juveniles and delinquent juveniles who become

1 subject to the provisions of this compact. The provisions of this compact shall be
2 reasonably and liberally construed to accomplish the foregoing purposes.

3 **SECTION 305.** 938.991 (3) (c) of the statutes is amended to read:

4 938.991 (3) (c) “Probation, extended supervision or parole” means any kind of
5 conditional release of juveniles authorized under the laws of the states party hereto.

6 **SECTION 306.** 938.991 (5) (a) of the statutes is amended to read:

7 938.991 (5) (a) That the appropriate person or authority from whose probation,
8 extended supervision or parole supervision a delinquent juvenile has absconded or
9 from whose institutional custody the delinquent juvenile has escaped shall present
10 to the appropriate court or to the executive authority of the state where the
11 delinquent juvenile is alleged to be located a written requisition for the return of the
12 delinquent juvenile. The requisition shall state the name and age of the delinquent
13 juvenile, the particulars of that person’s adjudication as a delinquent juvenile, the
14 circumstances of the breach of the terms of the delinquent juvenile’s probation,
15 extended supervision or parole or of the delinquent juvenile’s escape from an
16 institution or agency vested with legal custody or supervision of the delinquent
17 juvenile, and the location of the delinquent juvenile, if known, at the time the
18 requisition is made. The requisition shall be verified by affidavit, shall be executed
19 in duplicate, and shall be accompanied by 2 certified copies of the judgment, formal
20 adjudication, or order of commitment which subjects the delinquent juvenile to
21 probation, extended supervision or parole or to the legal custody of the institution or
22 agency concerned. Further affidavits and other documents as may be deemed proper
23 may be submitted with the requisition. One copy of the requisition shall be filed with
24 the compact administrator of the demanding state, there to remain on file subject to
25 the provisions of law governing records of the appropriate court. Upon the receipt

1 of a requisition demanding the return of a delinquent juvenile who has absconded
2 or escaped, the court or the executive authority to whom the requisition is addressed
3 shall issue an order to any peace officer or other appropriate person directing that
4 person to take into custody and detain the delinquent juvenile. The detention order
5 must substantially recite the facts necessary to the validity of its issuance hereunder.
6 No delinquent juvenile detained upon a detention order shall be delivered over to the
7 officer whom the appropriate person or authority demanding the delinquent juvenile
8 shall have appointed to receive the delinquent juvenile, unless the delinquent
9 juvenile shall first be taken forthwith before a judge of an appropriate court in the
10 state, who shall inform the delinquent juvenile of the demand made for the return
11 of the delinquent juvenile and who may appoint counsel or guardian ad litem for the
12 delinquent juvenile. If the judge shall find that the requisition is in order, the judge
13 shall deliver the delinquent juvenile over to the officer whom the appropriate person
14 or authority demanding shall have appointed to receive the delinquent juvenile. The
15 judge, however, may fix a reasonable time to be allowed for the purpose of testing the
16 legality of the proceeding.

17 **SECTION 307.** 938.991 (5) (am) of the statutes is amended to read:

18 938.991 (5) (am) Upon reasonable information that a person is a delinquent
19 juvenile who has absconded while on probation, extended supervision or parole, or
20 escaped from an institution or agency vested with legal custody or supervision of the
21 person in any state party to this compact, the person may be taken into custody in
22 any other state party to this compact without a requisition. In that event, the person
23 must be taken forthwith before a judge of the appropriate court, who may appoint
24 counsel or guardian ad litem for the person and who shall determine, after a hearing,
25 whether sufficient cause exists to hold the person subject to the order of the court for

1 a time, not exceeding 90 days, as will enable the person's detention under a detention
2 order issued on a requisition pursuant to this subsection. If, at the time when a state
3 seeks the return of a delinquent juvenile who has either absconded while on
4 probation, extended supervision or parole or escaped from an institution or agency
5 vested with legal custody or supervision of the delinquent juvenile, there is pending
6 in the state wherein the delinquent juvenile is detained any criminal charge or any
7 proceeding to have the delinquent juvenile adjudicated a delinquent juvenile for an
8 act committed in that state, or if the delinquent juvenile is suspected of having
9 committed within such state a criminal offense or an act of juvenile delinquency, the
10 delinquent juvenile shall not be returned without the consent of that state until
11 discharged from prosecution or other form of proceeding, imprisonment, detention
12 or supervision for such offense or juvenile delinquency. The duly accredited officers
13 of any state party to this compact, upon the establishment of the officers' authority
14 and the identity of the delinquent juvenile being returned, shall be permitted to
15 transport the delinquent juvenile through any and all states party to this compact,
16 without interference. Upon the return of the delinquent juvenile to the state from
17 which the delinquent juvenile escaped or absconded, the delinquent juvenile shall
18 be subject to such further proceedings as may be appropriate under the laws of that
19 state.

20 **SECTION 308.** 938.991 (6) of the statutes is amended to read:

21 938.991 (6) ARTICLE VI - VOLUNTARY RETURN PROCEDURE. That any delinquent
22 juvenile who has absconded while on probation, extended supervision or parole, or
23 escaped from an institution or agency vested with legal custody or supervision of the
24 delinquent juvenile in any state party to this compact, and any juvenile who has run
25 away from any state party to this compact, who is taken into custody without a

1 requisition in another state party to this compact under sub. (4) (a) or (5) (a), may
2 consent to his or her immediate return to the state from which the juvenile or
3 delinquent juvenile absconded, escaped or ran away. Consent shall be given by the
4 juvenile or delinquent juvenile and his or her counsel or guardian ad litem, if any,
5 by executing or subscribing a writing, in the presence of a judge of the appropriate
6 court, which states that the juvenile or delinquent juvenile and his or her counsel or
7 guardian ad litem, if any, consent to the return of the juvenile or delinquent juvenile
8 to the demanding state. Before the consent shall be executed or subscribed, however,
9 the judge, in the presence of counsel or guardian ad litem, if any, shall inform the
10 juvenile or delinquent juvenile of his or her rights under this compact. When the
11 consent has been duly executed, it shall be forwarded to and filed with the compact
12 administrator of the state in which the court is located and the judge shall direct the
13 officer having the juvenile or delinquent juvenile in custody to deliver the juvenile
14 or delinquent juvenile to the duly accredited officer or officers of the state demanding
15 the return of the juvenile or delinquent juvenile, and shall cause to be delivered to
16 the officer or officers a copy of the consent. The court may, however, upon the request
17 of the state to which the juvenile or delinquent juvenile is being returned, order the
18 juvenile or delinquent juvenile to return unaccompanied to that state and shall
19 provide the juvenile or delinquent juvenile with a copy of the court order; in that
20 event a copy of the consent shall be forwarded to the compact administrator of the
21 state to which the juvenile or delinquent juvenile is ordered to return.

22 **SECTION 309.** 938.991 (7) (title) of the statutes is amended to read:

23 938.991 (7) (title) ARTICLE VII - COOPERATIVE SUPERVISION OF PROBATIONERS,
24 PERSONS ON EXTENDED SUPERVISION AND PAROLEES.

25 **SECTION 310.** 938.991 (7) (a) of the statutes is amended to read:

1 938.991 (7) (a) That the duly constituted judicial and administrative
2 authorities of a state party to this compact (herein called “sending state”) may permit
3 any delinquent juvenile within such state, placed on probation, extended supervision
4 or parole, to reside in any other state party to this compact (herein called “receiving
5 state”) while on probation, extended supervision or parole, and the receiving state
6 shall accept such delinquent juvenile, if the parent, guardian or person entitled to
7 the legal custody of such delinquent juvenile is residing or undertakes to reside
8 within the receiving state. Before granting such permission, opportunity shall be
9 given to the receiving state to make such investigations as it deems necessary. The
10 authorities of the sending state shall send to the authorities of the receiving state
11 copies of pertinent court orders, social case studies and all other available
12 information which may be of value to and assist the receiving state in supervising
13 a probationer ~~or~~, parolee or person under extended supervision under this compact.
14 A receiving state, in its discretion, may agree to accept supervision of a probationer
15 ~~or~~, parolee or person under extended supervision in cases where the parent, guardian
16 or person entitled to legal custody of the delinquent juvenile is not a resident of the
17 receiving state, and if so accepted the sending state may transfer supervision
18 accordingly.

19 **SECTION 311.** 938.991 (7) (b) of the statutes is amended to read:

20 938.991 (7) (b) That each receiving state will assume the duties of visitation
21 and of supervision over any such delinquent juvenile and in the exercise of those
22 duties will be governed by the same standards of visitation and supervision that
23 prevail for its own delinquent juveniles released on probation, extended supervision
24 or parole.

25 **SECTION 312.** 938.991 (7) (c) of the statutes is amended to read:

1 938.991 (7) (c) That, after consultation between the appropriate authorities of
2 the sending state and of the receiving state as to the desirability and necessity of
3 returning such a delinquent juvenile, the duly accredited officers of a sending state
4 may enter a receiving state and there apprehend and retake any such delinquent
5 juvenile on probation, extended supervision or parole. For that purpose, no
6 formalities will be required, other than establishing the authority of the officer and
7 the identity of the delinquent juvenile to be retaken and returned. The decision of
8 the sending state to retake a delinquent juvenile on probation, extended supervision
9 or parole shall be conclusive upon and not reviewable within the receiving state, but
10 if, at the time the sending state seeks to retake a delinquent juvenile on probation,
11 extended supervision or parole, there is pending against the delinquent juvenile
12 within the receiving state any criminal charge or any proceeding to have the
13 delinquent juvenile adjudicated a delinquent juvenile for any act committed in that
14 state, or if the delinquent juvenile is suspected of having committed within that state
15 a criminal offense or an act of juvenile delinquency, the delinquent juvenile shall not
16 be returned without the consent of the receiving state until discharged from
17 prosecution or other form of proceeding, imprisonment, detention or supervision for
18 such offense or juvenile delinquency. The duly accredited officers of the sending state
19 shall be permitted to transport delinquent juveniles being so returned through any
20 and all states party to this compact, without interference.

21 **SECTION 313.** 938.991 (14) of the statutes is amended to read:

22 938.991 (14) ARTICLE XIV - RENUNCIATION. That this compact shall continue in
23 force and remain binding upon each executing state until renounced by it.
24 Renunciation of this compact shall be by the same authority which executed it, by
25 sending 6 months notice in writing of its intention to withdraw from the compact to

1 the other states party hereto. The duties and obligations of a renouncing state under
2 sub. (7) shall continue as to parolees ~~and, probationers~~ and persons on extended
3 supervision residing therein at the time of withdrawal until retaken or finally
4 discharged. Supplementary agreements entered into under sub. (10) shall be subject
5 to renunciation as provided by such supplementary agreements, and shall not be
6 subject to the 6 months' renunciation notice of the present Article.

7 **SECTION 314.** 938.993 (2) of the statutes, as affected by 1997 Wisconsin Act 35,
8 is amended to read:

9 938.993 (2) The compact administrator shall determine for this state whether
10 to receive juvenile probationers ~~and, parolees~~ and persons on extended supervision
11 of other states under s. 938.991 (7) and shall arrange for the supervision of each such
12 probationer ~~or, parolee~~ or person on extended supervision received, either by the
13 department or by a person appointed to perform supervision service for the court
14 assigned to exercise jurisdiction under this chapter and ch. 48 for the county where
15 the juvenile is to reside, whichever is more convenient. Those persons shall in all
16 such cases make periodic reports to the compact administrator regarding the conduct
17 and progress of the juveniles.

18 **SECTION 315.** 939.50 (3) (b) of the statutes is amended to read:

19 939.50 (3) (b) For a Class B felony, imprisonment not to exceed 40 60 years.

20 **SECTION 316.** 939.50 (3) (bc) of the statutes is amended to read:

21 939.50 (3) (bc) For a Class BC felony, a fine not to exceed \$10,000 or
22 imprisonment not to exceed 20 30 years, or both.

23 **SECTION 317.** 939.50 (3) (c) of the statutes is amended to read:

24 939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 or imprisonment
25 not to exceed 10 15 years, or both.

1 **SECTION 318.** 939.50 (3) (d) of the statutes is amended to read:

2 939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 or imprisonment
3 not to exceed ~~5~~ 10 years, or both.

4 **SECTION 319.** 939.50 (3) (e) of the statutes is amended to read:

5 939.50 (3) (e) For a Class E felony, a fine not to exceed \$10,000 or imprisonment
6 not to exceed ~~2~~ 5 years, or both.

7 **SECTION 320.** 939.62 (2m) (b) of the statutes is amended to read:

8 939.62 (2m) (b) The actor is a persistent repeater if he or she has been convicted
9 of a serious felony on 2 or more separate occasions at any time preceding the serious
10 felony for which he or she presently is being sentenced under ch. 973, which
11 convictions remain of record and unreversed and, that of the 2 or more previous
12 convictions, at least one conviction must have occurred before the date of violation
13 of at least one of the other felonies for which the actor was previously convicted. It
14 is immaterial that the sentence for a previous conviction was stayed, withheld or
15 suspended, or that he or she was pardoned, unless the pardon was granted on the
16 ground of innocence. The term of imprisonment for the felony for which the
17 persistent repeater presently is being sentenced under ch. 973 is life imprisonment
18 without the possibility of parole or extended supervision.

19 **SECTION 321.** 940.20 (2m) (title) of the statutes is amended to read:

20 940.20 (2m) (title) BATTERY TO PROBATION, EXTENDED SUPERVISION AND PAROLE
21 AGENTS AND AFTERCARE AGENTS.

22 **SECTION 322.** 940.20 (2m) (a) 2. of the statutes is amended to read:

23 940.20 (2m) (a) 2. “Probation, extended supervision and parole agent” means
24 any person authorized by the department of corrections to exercise control over a
25 probationer ~~or~~, parolee or person on extended supervision.

1 **SECTION 323.** 940.20 (2m) (b) of the statutes is amended to read:

2 940.20 **(2m)** (b) Whoever intentionally causes bodily harm to a probation,
3 extended supervision and parole agent or an aftercare agent, acting in an official
4 capacity and the person knows or has reason to know that the victim is a probation,
5 extended supervision and parole agent or an aftercare agent, by an act done without
6 the consent of the person so injured, is guilty of a Class D felony.

7 **SECTION 324.** 942.06 (2m) (a) of the statutes is amended to read:

8 942.06 **(2m)** (a) An employe or agent of the department of corrections who
9 conducts a lie detector test of a probationer ~~or~~, parolee or person on extended
10 supervision under the rules promulgated under s. 301.132.

11 **SECTION 325.** 942.06 (2q) (a) (intro.) of the statutes is amended to read:

12 942.06 **(2q)** (a) (intro.) An employe or agent of the department of corrections
13 who discloses, to any of the following, the fact that a probationer ~~or~~, parolee or person
14 on extended supervision has had a lie detector test under the rules promulgated
15 under s. 301.132 or the results of such a lie detector test:

16 **SECTION 326.** 946.42 (1) (a) of the statutes is amended to read:

17 946.42 **(1)** (a) "Custody" includes without limitation actual custody of an
18 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a
19 secured child caring institution, as defined in s. 938.02 (15g), a secure detention
20 facility, as defined in s. 938.02 (16), a Type 2 child caring institution, as defined in
21 s. 938.02 (19r), or a juvenile portion of a county jail, or of a peace officer or institution
22 guard and constructive custody of prisoners and juveniles subject to an order under
23 s. 48.366, 938.183, 938.34 (4d), (4h) or (4m) or 938.357 (4) or (5) (e) temporarily
24 outside the institution whether for the purpose of work, school, medical care, a leave
25 granted under s. 303.068, a temporary leave or furlough granted to a juvenile or

1 otherwise. Under s. 303.08 (6) it means, without limitation, that of the sheriff of the
2 county to which the prisoner was transferred after conviction. It does not include the
3 custody of a probationer ~~or~~, parolee or person on extended supervision by the
4 department of corrections or a probation, extended supervision or parole officer or
5 the custody of a person who has been released to aftercare supervision under ch. 938
6 unless the person is in actual custody or is subject to a confinement order under s.
7 973.09 (4).

8 **SECTION 327.** 946.46 of the statutes is amended to read:

9 **946.46** (title) **Encouraging violation of probation, extended**
10 **supervision or parole.** Whoever intentionally aids or encourages a parolee ~~or~~,
11 probationer or person on extended supervision or any person committed to the
12 custody or supervision of the department of corrections or a county department
13 under s. 46.215, 46.22 or 46.23 by reason of crime or delinquency to abscond or violate
14 a term or condition of parole, extended supervision or probation is guilty of a Class
15 A misdemeanor.

16 **SECTION 328.** 946.85 (1) of the statutes is amended to read:

17 946.85 (1) Any person who engages in a continuing criminal enterprise shall
18 be imprisoned for not less than 10 years nor more than 20 30 years, and fined not
19 more than \$10,000 or as provided in s. 946.84 (2). If the court imposes a sentence less
20 than the presumptive minimum sentence, it shall place its reasons for doing so on
21 the record.

22 **SECTION 329.** 950.045 of the statutes, as affected by 1995 Wisconsin Act 440,
23 is amended to read:

24 **950.045** (title) **Victims; application for parole, extended supervision or**
25 **pardon; releases; escapes; corrections programs.** Victims of crimes have the

1 right to provide written statements concerning parole applications under s. 304.06
2 (1) (e), to have direct input in the parole decision-making process under s. 304.06 (1)
3 (em) and to provide written statements concerning pardon applications under s.
4 304.10 (2). Victims of crimes have the right to be notified by district attorneys under
5 s. 971.17 (4m) regarding conditional releases under s. 971.17. Victims of crimes have
6 the right to be notified by the department of health and family services under s.
7 971.17 (6m) regarding terminations or discharges under s. 971.17. Victims of crimes
8 have the right to be notified by the department of corrections under s. 301.046 (4)
9 regarding community residential confinements, under s. 301.048 (4m) regarding
10 participation in the intensive sanctions program, under s. 301.38 regarding escapes
11 from a Type 1 prison, under s. 302.115 regarding the expiration of sentences and
12 under s. 304.063 regarding extended supervision and parole releases. Victims of acts
13 of sexual violence have the right to be notified by the department of health and family
14 services under s. 980.11 regarding supervised releases under s. 980.06 and
15 discharges under s. 980.09 or 980.10. Victims have the right to be notified of the
16 registration of a person and the update of information regarding that person under
17 s. 301.46. Victims of crimes have the right to be sent a copy of an inmate's petition
18 for extended supervision and to be notified of the hearing on that petition under s.
19 302.114 (6).

20 **SECTION 330.** 961.41 (1) (a) of the statutes is amended to read:

21 961.41 (1) (a) Except as provided in par. (d), a controlled substance included
22 in schedule I or II which is a narcotic drug, or a controlled substance analog of a
23 controlled substance included in schedule I or II which is a narcotic drug, may be
24 fined not more than \$25,000 or imprisoned for not more than 15 22 years and 6
25 months or both.

1 **SECTION 331.** 961.41 (1) (b) of the statutes is amended to read:

2 961.41 (1) (b) Except as provided in pars. (cm) and (e) to (h), any other
3 controlled substance included in schedule I, II or III, or a controlled substance analog
4 of any other controlled substance included in schedule I or II, may be fined not more
5 than \$15,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

6 **SECTION 332.** 961.41 (1) (cm) 1. of the statutes is amended to read:

7 961.41 (1) (cm) 1. Five grams or less, the person shall be fined not more than
8 \$500,000 and may be imprisoned for not more than ~~10~~ 15 years.

9 **SECTION 333.** 961.41 (1) (cm) 2. of the statutes is amended to read:

10 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person
11 shall be fined not more than \$500,000 and shall be imprisoned for not less than one
12 year nor more than ~~15~~ 22 years and 6 months.

13 **SECTION 334.** 961.41 (1) (cm) 3. of the statutes is amended to read:

14 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person
15 shall be fined not more than \$500,000 and shall be imprisoned for not less than 3
16 years nor more than ~~20~~ 30 years.

17 **SECTION 335.** 961.41 (1) (cm) 4. of the statutes is amended to read:

18 961.41 (1) (cm) 4. More than 40 grams but not more than 100 grams, the person
19 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5
20 years nor more than ~~30~~ 45 years.

21 **SECTION 336.** 961.41 (1) (cm) 5. of the statutes is amended to read:

22 961.41 (1) (cm) 5. More than 100 grams, the person shall be fined not more than
23 \$500,000 and shall be imprisoned for not less than 10 years nor more than ~~30~~ 45
24 years.

25 **SECTION 337.** 961.41 (1) (d) 1. of the statutes is amended to read:

1 961.41 (1) (d) 1. Three grams or less, the person shall be fined not less than
2 \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~15~~ 22 years
3 and 6 months.

4 **SECTION 338.** 961.41 (1) (d) 2. of the statutes is amended to read:

5 961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person
6 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
7 for not less than 6 months nor more than ~~15~~ 22 years and 6 months.

8 **SECTION 339.** 961.41 (1) (d) 3. of the statutes is amended to read:

9 961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person
10 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
11 for not less than one year nor more than ~~15~~ 22 years and 6 months.

12 **SECTION 340.** 961.41 (1) (d) 4. of the statutes is amended to read:

13 961.41 (1) (d) 4. More than 50 grams but not more than 200 grams, the person
14 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
15 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

16 **SECTION 341.** 961.41 (1) (d) 5. of the statutes is amended to read:

17 961.41 (1) (d) 5. More than 200 grams but not more than 400 grams, the person
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
19 for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

20 **SECTION 342.** 961.41 (1) (d) 6. of the statutes is amended to read:

21 961.41 (1) (d) 6. More than 400 grams, the person shall be fined not less than
22 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years
23 nor more than ~~30~~ 45 years.

24 **SECTION 343.** 961.41 (1) (e) 1. of the statutes is amended to read:

1 961.41 (1) (e) 1. Three grams or less, the person shall be fined not less than
2 \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7 years
3 and 6 months.

4 **SECTION 344.** 961.41 (1) (e) 2. of the statutes is amended to read:

5 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person
6 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
7 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

8 **SECTION 345.** 961.41 (1) (e) 3. of the statutes is amended to read:

9 961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person
10 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
11 for not less than one year nor more than ~~15~~ 22 years and 6 months.

12 **SECTION 346.** 961.41 (1) (e) 4. of the statutes is amended to read:

13 961.41 (1) (e) 4. More than 50 grams but not more than 200 grams, the person
14 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
15 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

16 **SECTION 347.** 961.41 (1) (e) 5. of the statutes is amended to read:

17 961.41 (1) (e) 5. More than 200 grams but not more than 400 grams, the person
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
19 for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

20 **SECTION 348.** 961.41 (1) (e) 6. of the statutes is amended to read:

21 961.41 (1) (e) 6. More than 400 grams, the person shall be fined not less than
22 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years
23 nor more than ~~30~~ 45 years.

24 **SECTION 349.** 961.41 (1) (f) 1. of the statutes is amended to read:

1 961.41 (1) (f) 1. One gram or less, the person shall be fined not less than \$1,000
2 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7 years and 6
3 months.

4 **SECTION 350.** 961.41 (1) (f) 2. of the statutes is amended to read:

5 961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person shall
6 be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not
7 less than 6 months nor more than ~~5~~ 7 years and 6 months.

8 **SECTION 351.** 961.41 (1) (f) 3. of the statutes is amended to read:

9 961.41 (1) (f) 3. More than 5 grams, the person shall be fined not less than
10 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
11 nor more than ~~15~~ 22 years and 6 months.

12 **SECTION 352.** 961.41 (1) (g) 1. of the statutes is amended to read:

13 961.41 (1) (g) 1. One hundred grams or less, the person shall be fined not less
14 than \$1,000 nor more than \$200,000 and may be imprisoned for not more than ~~5~~ 7
15 years and 6 months.

16 **SECTION 353.** 961.41 (1) (g) 2. of the statutes is amended to read:

17 961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person
18 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
19 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

20 **SECTION 354.** 961.41 (1) (g) 3. of the statutes is amended to read:

21 961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than
22 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
23 nor more than ~~15~~ 22 years and 6 months.

24 **SECTION 355.** 961.41 (1) (h) 1. of the statutes is amended to read:

1 961.41 (1) (h) 1. Five hundred grams or less, or 10 or fewer plants containing
2 tetrahydrocannabinols, the person shall be fined not less than \$500 nor more than
3 \$25,000 and may be imprisoned for not more than ~~3~~ 4 years and 6 months.

4 **SECTION 356.** 961.41 (1) (h) 2. of the statutes is amended to read:

5 961.41 (1) (h) 2. More than 500 grams but not more than 2,500 grams, or more
6 than 10 plants containing tetrahydrocannabinols but not more than 50 plants
7 containing tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor
8 more than \$50,000 and shall be imprisoned for not less than 3 months nor more than
9 ~~5~~ 7 years and 6 months.

10 **SECTION 357.** 961.41 (1) (h) 3. of the statutes is amended to read:

11 961.41 (1) (h) 3. More than 2,500 grams, or more than 50 plants containing
12 tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor more than
13 \$100,000 and shall be imprisoned for not less than one year nor more than ~~10~~ 15
14 years.

15 **SECTION 358.** 961.41 (1) (i) of the statutes is amended to read:

16 961.41 (1) (i) A substance included in schedule IV, may be fined not more than
17 \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

18 **SECTION 359.** 961.41 (1) (j) of the statutes is amended to read:

19 961.41 (1) (j) A substance included in schedule V, may be fined not more than
20 \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

21 **SECTION 360.** 961.41 (1m) (a) of the statutes is amended to read:

22 961.41 (1m) (a) Except as provided in par. (d), a controlled substance included
23 in schedule I or II which is a narcotic drug or a controlled substance analog of a
24 controlled substance included in schedule I or II which is a narcotic drug, may be

1 fined not more than \$25,000 or imprisoned for not more than ~~15~~ 22 years and 6
2 months or both.

3 **SECTION 361.** 961.41 (1m) (b) of the statutes is amended to read:

4 961.41 **(1m)** (b) Except as provided in pars. (cm) and (e) to (h), any other
5 controlled substance included in schedule I, II or III, or a controlled substance analog
6 of any other controlled substance included in schedule I or II, may be fined not more
7 than \$15,000 or imprisoned for not more than ~~5~~ 7 years and 6 months or both.

8 **SECTION 362.** 961.41 (1m) (cm) 1. of the statutes is amended to read:

9 961.41 **(1m)** (cm) 1. Five grams or less, the person shall be fined not more than
10 \$500,000 and may be imprisoned for not more than ~~10~~ 15 years.

11 **SECTION 363.** 961.41 (1m) (cm) 2. of the statutes is amended to read:

12 961.41 **(1m)** (cm) 2. More than 5 grams but not more than 15 grams, the person
13 shall be fined not more than \$500,000 and shall be imprisoned for not less than one
14 year nor more than ~~15~~ 22 years and 6 months.

15 **SECTION 364.** 961.41 (1m) (cm) 3. of the statutes is amended to read:

16 961.41 **(1m)** (cm) 3. More than 15 grams but not more than 40 grams, the
17 person shall be fined not more than \$500,000 and shall be imprisoned for not less
18 than 3 years nor more than ~~20~~ 30 years.

19 **SECTION 365.** 961.41 (1m) (cm) 4. of the statutes is amended to read:

20 961.41 **(1m)** (cm) 4. More than 40 grams but not more than 100 grams, the
21 person shall be fined not more than \$500,000 and shall be imprisoned for not less
22 than 5 years nor more than ~~30~~ 45 years.

23 **SECTION 366.** 961.41 (1m) (cm) 5. of the statutes is amended to read:

1 961.41 (1m) (cm) 5. More than 100 grams, the person shall be fined not more
2 than \$500,000 and shall be imprisoned for not less than 10 years nor more than ~~30~~
3 45 years.

4 **SECTION 367.** 961.41 (1m) (d) 1. of the statutes is amended to read:

5 961.41 (1m) (d) 1. Three grams or less, the person shall be fined not less than
6 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~15~~ 22 years
7 and 6 months.

8 **SECTION 368.** 961.41 (1m) (d) 2. of the statutes is amended to read:

9 961.41 (1m) (d) 2. More than 3 grams but not more than 10 grams, the person
10 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
11 for not less than 6 months nor more than ~~15~~ 22 years and 6 months.

12 **SECTION 369.** 961.41 (1m) (d) 3. of the statutes is amended to read:

13 961.41 (1m) (d) 3. More than 10 grams but not more than 50 grams, the person
14 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
15 for not less than one year nor more than ~~15~~ 22 years and 6 months.

16 **SECTION 370.** 961.41 (1m) (d) 4. of the statutes is amended to read:

17 961.41 (1m) (d) 4. More than 50 grams but not more than 200 grams, the person
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
19 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

20 **SECTION 371.** 961.41 (1m) (d) 5. of the statutes is amended to read:

21 961.41 (1m) (d) 5. More than 200 grams but not more than 400 grams, the
22 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be
23 imprisoned for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

24 **SECTION 372.** 961.41 (1m) (d) 6. of the statutes is amended to read:

1 961.41 (1m) (d) 6. More than 400 grams, the person shall be fined not less than
2 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years
3 nor more than ~~30~~ 45 years.

4 **SECTION 373.** 961.41 (1m) (e) 1. of the statutes is amended to read:

5 961.41 (1m) (e) 1. Three grams or less, the person shall be fined not less than
6 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7 years
7 and 6 months.

8 **SECTION 374.** 961.41 (1m) (e) 2. of the statutes is amended to read:

9 961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person
10 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
11 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

12 **SECTION 375.** 961.41 (1m) (e) 3. of the statutes is amended to read:

13 961.41 (1m) (e) 3. More than 10 grams but not more than 50 grams, the person
14 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
15 for not less than one year nor more than ~~15~~ 22 years and 6 months.

16 **SECTION 376.** 961.41 (1m) (e) 4. of the statutes is amended to read:

17 961.41 (1m) (e) 4. More than 50 grams but not more than 200 grams, the person
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
19 for not less than 3 years nor more than ~~15~~ 22 years and 6 months.

20 **SECTION 377.** 961.41 (1m) (e) 5. of the statutes is amended to read:

21 961.41 (1m) (e) 5. More than 200 grams but not more than 400 grams, the
22 person shall be fined not less than \$1,000 nor more than \$500,000 and shall be
23 imprisoned for not less than 5 years nor more than ~~15~~ 22 years and 6 months.

24 **SECTION 378.** 961.41 (1m) (e) 6. of the statutes is amended to read:

1 961.41 (1m) (e) 6. More than 400 grams, the person shall be fined not less than
2 \$1,000 nor more than \$1,000,000 and shall be imprisoned for not less than 10 years
3 nor more than ~~30~~ 45 years.

4 **SECTION 379.** 961.41 (1m) (f) 1. of the statutes is amended to read:

5 961.41 (1m) (f) 1. One gram or less, the person shall be fined not less than
6 \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7 years
7 and 6 months.

8 **SECTION 380.** 961.41 (1m) (f) 2. of the statutes is amended to read:

9 961.41 (1m) (f) 2. More than one gram but not more than 5 grams, the person
10 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
11 for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

12 **SECTION 381.** 961.41 (1m) (f) 3. of the statutes is amended to read:

13 961.41 (1m) (f) 3. More than 5 grams, the person shall be fined not less than
14 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
15 nor more than ~~15~~ 22 years and 6 months.

16 **SECTION 382.** 961.41 (1m) (g) 1. of the statutes is amended to read:

17 961.41 (1m) (g) 1. One hundred grams or less, the person shall be fined not less
18 than \$1,000 nor more than \$100,000 and may be imprisoned for not more than ~~5~~ 7
19 years and 6 months.

20 **SECTION 383.** 961.41 (1m) (g) 2. of the statutes is amended to read:

21 961.41 (1m) (g) 2. More than 100 grams but not more than 500 grams, the
22 person shall be fined not less than \$1,000 nor more than \$200,000 and shall be
23 imprisoned for not less than 6 months nor more than ~~5~~ 7 years and 6 months.

24 **SECTION 384.** 961.41 (1m) (g) 3. of the statutes is amended to read:

1 961.41 **(1m)** (g) 3. More than 500 grams, the person shall be fined not less than
2 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
3 nor more than ~~15~~ 22 years and 6 months.

4 **SECTION 385.** 961.41 (1m) (h) 1. of the statutes is amended to read:

5 961.41 **(1m)** (h) 1. Five hundred grams or less, or 10 or fewer plants containing
6 tetrahydrocannabinols, the person shall be fined not less than \$500 nor more than
7 \$25,000 and may be imprisoned for not more than ~~3~~ 4 years and 6 months.

8 **SECTION 386.** 961.41 (1m) (h) 2. of the statutes is amended to read:

9 961.41 **(1m)** (h) 2. More than 500 grams but not more than 2,500 grams, or more
10 than 10 plants containing tetrahydrocannabinols but not more than 50 plants
11 containing tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor
12 more than \$50,000 and shall be imprisoned for not less than 3 months nor more than
13 ~~5~~ 7 years and 6 months.

14 **SECTION 387.** 961.41 (1m) (h) 3. of the statutes is amended to read:

15 961.41 **(1m)** (h) 3. More than 2,500 grams, or more than 50 plants containing
16 tetrahydrocannabinols, the person shall be fined not less than \$1,000 nor more than
17 \$100,000 and shall be imprisoned for not less than one year nor more than ~~10~~ 15
18 years.

19 **SECTION 388.** 961.41 (1m) (i) of the statutes is amended to read:

20 961.41 **(1m)** (i) A substance included in schedule IV, may be fined not more than
21 \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

22 **SECTION 389.** 961.41 (1m) (j) of the statutes is amended to read:

23 961.41 **(1m)** (j) A substance included in schedule V, may be fined not more than
24 \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

25 **SECTION 390.** 961.41 (1n) (c) of the statutes is amended to read:

1 961.41 **(1n)** (c) A person who violates par. (a) or (b) may be fined not more than
2 \$250,000 or imprisoned for not more than ~~10~~ 15 years or both.

3 **SECTION 391.** 961.41 (2) (a) of the statutes is amended to read:

4 961.41 **(2)** (a) A counterfeit substance included in schedule I or II which is a
5 narcotic drug, may be fined not more than \$25,000 or imprisoned for not more than
6 ~~15~~ 22 years and 6 months or both.

7 **SECTION 392.** 961.41 (2) (b) of the statutes is amended to read:

8 961.41 **(2)** (b) Any other counterfeit substance included in schedule I, II or III,
9 may be fined not more than \$15,000 or imprisoned for not more than ~~5~~ 7 years and
10 6 months or both.

11 **SECTION 393.** 961.41 (2) (c) of the statutes is amended to read:

12 961.41 **(2)** (c) A counterfeit substance included in schedule IV, may be fined not
13 more than \$10,000 or imprisoned for not more than ~~3~~ 4 years and 6 months or both.

14 **SECTION 394.** 961.41 (2) (d) of the statutes is amended to read:

15 961.41 **(2)** (d) A counterfeit substance included in schedule V, may be fined not
16 more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

17 **SECTION 395.** 961.41 (3g) (a) 1. of the statutes is amended to read:

18 961.41 **(3g)** (a) 1. Except as provided in subd. 2., if the person possesses a
19 controlled substance included in schedule I or II which is a narcotic drug or possesses
20 a controlled substance analog of a controlled substance included in schedule I or II
21 which is a narcotic drug, the person may, upon a first conviction, be fined not more
22 than \$5,000 or imprisoned for not more than ~~one year~~ 2 or both, and for a 2nd or
23 subsequent offense, the person may be fined not more than \$10,000 or imprisoned
24 for not more than ~~2~~ 3 years or both.

25 **SECTION 396.** 961.41 (3g) (a) 2. of the statutes is amended to read:

1 961.41 **(3g)** (a) 2. If the person possesses or attempts to possess heroin or a
2 controlled substance analog of heroin, the person may be fined not more than \$5,000
3 or imprisoned for not more than ~~one year~~ 2 years or both.

4 **SECTION 397.** 961.41 (4) (am) 3. of the statutes is amended to read:

5 961.41 **(4)** (am) 3. A person convicted of violating this paragraph may be fined
6 not more than \$5,000 or imprisoned for not more than ~~one year~~ 2 years or both.

7 **SECTION 398.** 961.42 (2) of the statutes is amended to read:

8 961.42 **(2)** Any person who violates this section may be fined not more than
9 \$25,000 or imprisoned not more than ~~one year~~ 2 years or both.

10 **SECTION 399.** 961.43 (2) of the statutes is amended to read:

11 961.43 **(2)** Any person who violates this section may be fined not more than
12 \$30,000 or imprisoned not more than ~~4~~ 6 years or both.

13 **SECTION 400.** 961.455 (1) of the statutes is amended to read:

14 961.455 **(1)** Any person who has attained the age of 17 years who knowingly
15 solicits, hires, directs, employs or uses a person who is 17 years of age or under for
16 the purpose of violating s. 961.41 (1) may be fined not more than \$50,000 or
17 imprisoned for not more than ~~10~~ 15 years or both.

18 **SECTION 401.** 961.49 (2) (a) of the statutes is amended to read:

19 961.49 **(2)** (a) Except as provided in par. (b), if any person violates s. 961.41 (1)
20 by delivering or distributing, or violates s. 961.41 (1m) by possessing with intent to
21 deliver or distribute, a controlled substance included in schedule I or II or a
22 controlled substance analog of a controlled substance included in schedule I or II
23 while in or on the premises of a scattered-site public housing project, while in or on
24 or otherwise within 1,000 feet of a state, county, city, village or town park, a jail or
25 correctional facility, a multiunit public housing project, a swimming pool open to

1 members of the public, a youth center or a community center, while in or on or
2 otherwise within 1,000 feet of any private or public school premises or while in or on
3 or otherwise within 1,000 feet of a school bus, as defined in s. 340.01 (56), the court
4 shall sentence the person to at least 3 years in prison, but otherwise the penalties
5 for the crime apply. Except as provided in s. 961.438, the court shall not place the
6 person on probation. The Except as provided in s. 973.01 (6), the person is not eligible
7 for parole until he or she has served at least 3 years, with no modification by the
8 calculation under s. 302.11 (1).

9 **SECTION 402.** 961.49 (2) (b) of the statutes is amended to read:

10 961.49 (2) (b) If the conduct described in par. (a) involves only the delivery or
11 distribution, or the possession with intent to deliver or distribute, of not more than
12 25 grams of tetrahydrocannabinols, included in s. 961.14 (4) (t), or not more than 5
13 plants containing tetrahydrocannabinols, the court shall sentence the person to at
14 least one year in prison, but otherwise the penalties for the crime apply. Except as
15 provided in s. 961.438, the court shall not place the person on probation. The Except
16 as provided in s. 973.01 (6), the person is not eligible for parole until he or she has
17 served at least one year, with no modification by the calculation under s. 302.11 (1).

18 **SECTION 403.** 968.31 (1) (intro.) of the statutes is amended to read:

19 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
20 968.28 to 968.30, whoever commits any of the acts enumerated in this section may
21 be fined not more than \$10,000 or imprisoned for not more than ~~5~~ 7 years and 6
22 months or both:

23 **SECTION 404.** 968.34 (3) of the statutes is amended to read:

24 968.34 (3) Whoever knowingly violates sub. (1) shall be fined not more than
25 \$10,000 or imprisoned for not more than ~~one year~~ 2 years or both.

1 **SECTION 405.** 968.43 (3) of the statutes, as affected by 1996 Supreme Court
2 Order 96-08, is repealed and recreated to read:

3 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
4 may be imprisoned for not more than 7 years and 6 months.

5 **SECTION 406.** 969.01 (4) of the statutes is amended to read:

6 969.01 (4) CONSIDERATIONS IN SETTING CONDITIONS OF RELEASE. If bail is imposed,
7 it shall be only in the amount found necessary to assure the appearance of the
8 defendant. Conditions of release, other than monetary conditions, may be imposed
9 for the purpose of protecting members of the community from serious bodily harm
10 or preventing intimidation of witnesses. Proper considerations in determining
11 whether to release the defendant without bail, fixing a reasonable amount of bail or
12 imposing other reasonable conditions of release are: the ability of the arrested person
13 to give bail, the nature, number and gravity of the offenses and the potential penalty
14 the defendant faces, whether the alleged acts were violent in nature, the defendant's
15 prior record of criminal convictions and delinquency adjudications, if any, the
16 character, health, residence and reputation of the defendant, the character and
17 strength of the evidence which has been presented to the judge, whether the
18 defendant is currently on probation, extended supervision or parole, whether the
19 defendant is already on bail or subject to other release conditions in other pending
20 cases, whether the defendant has been bound over for trial after a preliminary
21 examination, whether the defendant has in the past forfeited bail or violated a
22 condition of release or was a fugitive from justice at the time of arrest, and the policy
23 against unnecessary detention of the defendant's pending trial.

24 **SECTION 407.** 971.11 (1) of the statutes is amended to read:

1 971.11 (1) Whenever the warden or superintendent receives notice of an
2 untried criminal case pending in this state against an inmate of a state prison, the
3 warden or superintendent shall, at the request of the inmate, send by certified mail
4 a written request to the district attorney for prompt disposition of the case. The
5 request shall state the sentence then being served, the date of parole eligibility, if
6 applicable, or the date of release to extended supervision, the approximate discharge
7 or conditional release date, and prior decision relating to parole. If there has been
8 no preliminary examination on the pending case, the request shall state whether the
9 inmate waives such examination, and, if so, shall be accompanied by a written
10 waiver signed by the inmate.

11 **SECTION 408.** 972.13 (6) of the statutes is amended to read:

12 972.13 (6) The following forms may be used for judgments:

13 STATE OF WISCONSIN

14 County

15 In.... Court

16 The State of Wisconsin

17 vs.

18 (Name of defendant)

19 UPON ALL THE FILES, RECORDS AND PROCEEDINGS,

20 IT IS ADJUDGED That the defendant has been convicted upon the defendant's
21 plea of guilty (not guilty and a verdict of guilty) (not guilty and a finding of guilty)
22 (no contest) on the.... day of..., 19..., of the crime of.... in violation of s.....; and the court
23 having asked the defendant whether the defendant has anything to state why
24 sentence should not be pronounced, and no sufficient grounds to the contrary being
25 shown or appearing to the court.

1 *IT IS ADJUDGED That the defendant is guilty as convicted.

2 *IT IS ADJUDGED That the defendant is hereby committed to the Wisconsin
3 state prisons (county jail of.... county) for an indeterminate term of not more than....

4 *IT IS ADJUDGED That the defendant is ordered to serve a bifurcated
5 sentence consisting of year(s) of confinement in prison and months/years of
6 extended supervision.

7 *IT IS ADJUDGED That the defendant is placed in the intensive sanctions
8 program subject to the limitations of section 973.032 (3) of the Wisconsin Statutes
9 and the following conditions:....

10 *IT IS ADJUDGED That the defendant is hereby committed to detention in
11 (the defendant's place of residence or place designated by judge) for a term of not
12 more than....

13 *IT IS ADJUDGED That the defendant is ordered to pay a fine of \$.... (and the
14 costs of this action).

15 *IT IS ADJUDGED That the defendant pay restitution to....

16 *IT IS ADJUDGED That the defendant is restricted in his or her use of
17 computers as follows:....

18 *The.... at.... is designated as the Reception Center to which the defendant shall
19 be delivered by the sheriff.

20 *IT IS ORDERED That the clerk deliver a duplicate original of this judgment
21 to the sheriff who shall forthwith execute the same and deliver it to the warden.

22 Dated this.... day of...., 19...

23 BY THE COURT....

24 Date of Offense....,

25 District Attorney....,

1 Defense Attorney....

2 *Strike inapplicable paragraphs.

3 STATE OF WISCONSIN

4 County

5 In.... Court

6 The State of Wisconsin

7 vs.

8(Name of defendant)

9 On the.... day of...., 19.., the district attorney appeared for the state and the
10 defendant appeared in person and by... the defendant's attorney.

11 UPON ALL THE FILES, RECORDS AND PROCEEDINGS

12 IT IS ADJUDGED That the defendant has been found not guilty by the verdict
13 of the jury (by the court) and is therefore ordered discharged forthwith.

14 Dated this.... day of...., 19...

15 BY THE COURT....

16 **SECTION 409.** 972.15 (2c) of the statutes is created to read:

17 972.15 (2c) If the defendant is being sentenced under s. 973.01 and he or she
18 satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing the
19 presentence investigation report shall include in the report a recommendation as to
20 whether the defendant should be eligible for the challenge incarceration program
21 under s. 302.045.

22 **SECTION 410.** 972.15 (5) (intro.) of the statutes is amended to read:

23 972.15 (5) (intro.) The department may use the presentence investigation
24 report for correctional programming, parole consideration or care and treatment of
25 any person sentenced to imprisonment or the intensive sanctions program, placed

1 on probation, released on parole or extended supervision or committed to the
2 department under ch. 51 or 971 or any other person in the custody of the department
3 or for research purposes. The department may make the report available to other
4 agencies or persons to use for purposes related to correctional programming, parole
5 consideration, care and treatment, or research. Any use of the report under this
6 subsection is subject to the following conditions:

7 **SECTION 411.** 973.01 of the statutes is created to read:

8 **973.01 Bifurcated sentence of imprisonment and extended**
9 **supervision. (1) BIFURCATED SENTENCE REQUIRED.** Except as provided in sub. (3),
10 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
11 for a felony committed on or after July 1, 1999, the court shall impose a bifurcated
12 sentence that consists of a term of confinement in prison followed by a term of
13 extended supervision under s. 302.113.

14 **(2) STRUCTURE OF BIFURCATED SENTENCES.** The court shall ensure that a
15 bifurcated sentence imposed under sub. (1) complies with all of the following:

16 (a) *Total length of bifurcated sentence.* Except as provided in par. (c), the total
17 length of the bifurcated sentence may not exceed the maximum period of
18 imprisonment for the felony.

19 (b) *Imprisonment portion of bifurcated sentence.* The portion of the bifurcated
20 sentence that imposes a term of confinement in prison may not be less than one year,
21 subject to any minimum sentence prescribed for the felony, and, except as provided
22 in par. (c), may not exceed whichever of the following is applicable:

23 1. For a Class B felony, the term of confinement in prison may not exceed 40
24 years.

1 2. For a Class BC felony, the term of confinement in prison may not exceed 20
2 years.

3 3. For a Class C felony, the term of confinement in prison may not exceed 10
4 years.

5 4. For a Class D felony, the term of confinement in prison may not exceed 5
6 years.

7 5. For a Class E felony, the term of confinement in prison may not exceed 2
8 years.

9 6. For any felony other than a felony specified in subds. 1. to 5., the term of
10 confinement in prison may not exceed 75% of the total length of the bifurcated
11 sentence.

12 (c) *Penalty enhancement.* The maximum term of confinement in prison
13 specified in par. (b) may be increased by any applicable penalty enhancement. If the
14 maximum term of confinement in prison specified in par. (b) is increased under this
15 paragraph, the total length of the bifurcated sentence that may be imposed is
16 increased by the same amount.

17 (d) *Minimum term of extended supervision.* The term of extended supervision
18 that follows the term of confinement in prison may not be less than 25% of the length
19 of the term of confinement in prison imposed under par. (b).

20 **(3)** NOT APPLICABLE TO LIFE SENTENCES. If a person is being sentenced for a felony
21 that is punishable by life imprisonment, he or she is not subject to this section but
22 shall be sentenced under s. 973.014 (1g).

23 **(3m)** CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing a
24 bifurcated sentence under this section on a person convicted of a crime other than
25 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,

1 948.07, 948.08 or 948.095, the court shall, as part of the exercise of its sentencing
2 discretion, decide whether the person being sentenced is eligible or ineligible for the
3 challenge incarceration program under s. 302.045 during the term of confinement in
4 prison portion of the bifurcated sentence.

5 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A person
6 sentenced to a bifurcated sentence under sub. (1) shall serve the term of confinement
7 in prison portion of the sentence without reduction for good behavior. The term of
8 confinement in prison portion is subject to extension under s. 302.113 (3) and, if
9 applicable, to reduction under s. 302.045 (3m).

10 (5) EXTENDED SUPERVISION CONDITIONS. Whenever the court imposes a
11 bifurcated sentence under sub. (1), the court may impose conditions upon the term
12 of extended supervision.

13 (6) NO PAROLE. A person serving a bifurcated sentence imposed under sub. (1)
14 is not eligible for release on parole.

15 (7) NO DISCHARGE. The department of corrections may not discharge a person
16 who is serving a bifurcated sentence from custody, control and supervision until the
17 person has served the entire bifurcated sentence.

18 (8) EXPLANATION OF SENTENCE. (a) When a court imposes a bifurcated sentence
19 under this section, it shall explain, orally and in writing, all of the following to the
20 person being sentenced:

- 21 1. The total length of the bifurcated sentence.
- 22 2. The amount of time the person will serve in prison under the term of
- 23 confinement in prison portion of the sentence.

1 3. The amount of time the person will spend on extended supervision, assuming
2 that the person does not commit any infraction of prison rules that results in the
3 extension of the term of confinement in prison under s. 302.113 (3).

4 4. That the amount of time the person must actually serve in prison may be
5 extended as provided under s. 302.113 (3) for infractions of prison rules and that
6 because of extensions under s. 302.113 (3) the person could serve the entire
7 bifurcated sentence in prison.

8 5. That the person will be subject to certain conditions while on release to
9 extended supervision, and that violation of any of those conditions may result in the
10 person being returned to prison, as provided under s. 302.113 (9).

11 (am) If the court provides under sub. (3m) that the person is eligible for the
12 challenge incarceration program, the court shall also inform the person of the
13 provisions of s. 302.045 (3m).

14 (b) The court's explanation under par. (a) 3. of a person's potential period of
15 extended supervision does not create a right to a minimum period of extended
16 supervision.

17 **SECTION 412.** 973.013 (1) (b) of the statutes is amended to read:

18 973.013 (1) (b) The Except as provided in s. 973.01, the sentence shall have the
19 effect of a sentence at hard labor for the maximum term fixed by the court, subject
20 to the power of actual release from confinement by parole by the department or by
21 pardon as provided by law. If a person is sentenced for a definite time for an offense
22 for which the person may be sentenced under this section, the person is in legal effect
23 sentenced as required by this section, said definite time being the maximum period.
24 A defendant convicted of a crime for which the minimum penalty is life shall be
25 sentenced for life.

1 **SECTION 413.** 973.013 (2) of the statutes is amended to read:

2 973.013 (2) Upon the recommendation of the department, the governor may,
3 without the procedure required by ch. 304, discharge absolutely, or upon such
4 conditions and restrictions and under such limitation as the governor thinks proper,
5 any inmate committed to the Wisconsin state prisons after he or she has served the
6 minimum term of punishment prescribed by law for the offense for which he or she
7 was sentenced, except that if the term was life imprisonment, 5 years must elapse
8 after release on parole or extended supervision before such a recommendation can
9 be made to the governor. The discharge has the effect of an absolute or conditional
10 pardon, respectively.

11 **SECTION 414.** 973.0135 (2) (intro.) of the statutes is amended to read:

12 973.0135 (2) (intro.) Except as provided in sub. (3), when a court sentences a
13 prior offender to imprisonment in a state prison for a serious felony committed on or
14 after April 21, 1994, but before July 1, 1999, the court shall make a parole eligibility
15 determination regarding the person and choose one of the following options:

16 **SECTION 415.** 973.014 (title) of the statutes is amended to read:

17 **973.014 (title) Sentence of life imprisonment; parole eligibility**
18 **determination; extended supervision eligibility determination.**

19 **SECTION 416.** 973.014 (1) (intro.) of the statutes is amended to read:

20 973.014 (1) (intro.) Except as provided in sub. (2), when a court sentences a
21 person to life imprisonment for a crime committed on or after July 1, 1988, but before
22 July 1, 1999, the court shall make a parole eligibility determination regarding the
23 person and choose one of the following options:

24 **SECTION 417.** 973.014 (1) (c) of the statutes is amended to read:

1 973.014 (1) (c) The person is not eligible for parole. This paragraph applies only
2 if the court sentences a person for a crime committed on or after August 31, 1995, but
3 before July 1, 1999.

4 **SECTION 418.** 973.014 (1g) of the statutes is created to read:

5 973.014 (1g) (a) Except as provided in sub. (2), when a court sentences a person
6 to life imprisonment for a crime committed on or after July 1, 1999, the court shall
7 make an extended supervision eligibility date determination regarding the person
8 and choose one of the following options:

9 1. The person is eligible for release to extended supervision after serving 20
10 years.

11 2. The person is eligible for release to extended supervision on a date set by the
12 court. Under this subdivision, the court may set any later date than that provided
13 in subd. 1., but may not set a date that occurs before the earliest possible date under
14 subd. 1.

15 3. The person is not eligible for release to extended supervision.

16 (b) When sentencing a person to life imprisonment under par. (a), the court
17 shall inform the person of the provisions of s. 302.114 (3) and the procedure for
18 petitioning under s. 302.114 (5) for release to extended supervision.

19 (c) A person sentenced to life imprisonment under par. (a) is not eligible for
20 release on parole.

21 **SECTION 419.** 973.014 (2) of the statutes is amended to read:

22 973.014 (2) When a court sentences a person to life imprisonment under s.
23 939.62 (2m), the court shall provide that the sentence is without the possibility of
24 parole or extended supervision.

25 **SECTION 420.** 973.032 (1) of the statutes is amended to read:

1 973.032 (1) SENTENCE. Beginning July 1, 1992, a court may sentence a person
2 who is convicted of a felony occurring on or after August 15, 1991, but before July 1,
3 1999, to participate in the intensive sanctions program under s. 301.048. If a person
4 is convicted of a felony occurring on or after July 1, 1999, a court may not sentence
5 the person to participate in the intensive sanctions program under s. 301.048.

6 **SECTION 421.** 973.10 (1) of the statutes is amended to read:

7 973.10 (1) Imposition of probation shall have the effect of placing the defendant
8 in the custody of the department and shall subject the defendant to the control of the
9 department under conditions set by the court and rules and regulations established
10 by the department for the supervision of probationers ~~and~~, parolees and persons on
11 extended supervision.

12 **SECTION 422.** 973.15 (2) (b) of the statutes is amended to read:

13 973.15 (2) (b) The court may not impose a sentence to the intensive sanctions
14 program consecutive to any other sentence. The court may not impose a sentence to
15 the intensive sanctions program concurrent with a sentence imposing
16 imprisonment, except that the court may impose a sentence to the program
17 concurrent with an imposed and stayed imprisonment sentence or with a prison
18 sentence for which the offender has been released on extended supervision or parole.
19 The court may impose concurrent intensive sanctions program sentences. The court
20 may impose an intensive sanctions program sentence concurrent to probation. The
21 court may impose any sentence for an escape from a sentence to the intensive
22 sanctions program concurrent with the sentence to the intensive sanctions program.

23 **SECTION 423.** 973.15 (6) of the statutes is amended to read:

1 973.15 (6) Sections 302.11 and 304.06 are applicable to an inmate serving a
2 sentence to the Wisconsin state prisons for a crime committed before July 1, 1999,
3 but confined in a federal institution or an institution in another state.

4 **SECTION 424.** 973.155 (1) (b) of the statutes is amended to read:

5 973.155 (1) (b) The categories in par. (a) include custody of the convicted
6 offender which is in whole or in part the result of a probation, extended supervision
7 or parole hold under s. 304.06 (3) or 973.10 (2) placed upon the person for the same
8 course of conduct as that resulting in the new conviction.

9 **SECTION 425.** 973.155 (2) of the statutes is amended to read:

10 973.155 (2) After the imposition of sentence, the court shall make and enter a
11 specific finding of the number of days for which sentence credit is to be granted,
12 which finding shall be included in the judgment of conviction. In the case of
13 revocation of probation, extended supervision or parole, the department, if the
14 hearing is waived, or the division of hearings and appeals in the department of
15 administration, in the case of a hearing, shall make such a finding, which shall be
16 included in the revocation order.

17 **SECTION 426.** 973.155 (5) of the statutes is amended to read:

18 973.155 (5) If this section has not been applied at sentencing to any person who
19 is in custody or to any person who is on probation, extended supervision or parole,
20 the person may petition the department to be given credit under this section. Upon
21 proper verification of the facts alleged in the petition, this section shall be applied
22 retroactively to the person. If the department is unable to determine whether credit
23 should be given, or otherwise refuses to award retroactive credit, the person may
24 petition the sentencing court for relief. This subsection applies to any person,
25 regardless of the date he or she was sentenced.

1 **SECTION 427.** 973.20 (1r) of the statutes is amended to read:

2 973.20 (1r) When imposing sentence or ordering probation for any crime for
3 which the defendant was convicted, the court, in addition to any other penalty
4 authorized by law, shall order the defendant to make full or partial restitution under
5 this section to any victim of a crime considered at sentencing or, if the victim is
6 deceased, to his or her estate, unless the court finds substantial reason not to do so
7 and states the reason on the record. Restitution ordered under this section is a
8 condition of probation, extended supervision or parole served by the defendant for
9 a crime for which the defendant was convicted. After the termination of probation,
10 extended supervision or parole, or if the defendant is not placed on probation,
11 extended supervision or parole, restitution ordered under this section is enforceable
12 in the same manner as a judgment in a civil action by the victim named in the order
13 to receive restitution or enforced under ch. 785.

14 **SECTION 428.** 973.20 (10) of the statutes is amended to read:

15 973.20 (10) The court may require that restitution be paid immediately, within
16 a specified period or in specified instalments. If the defendant is placed on probation
17 or sentenced to imprisonment, the end of a specified period shall not be later than
18 the end of any period of probation, extended supervision or parole. If the defendant
19 is sentenced to the intensive sanctions program, the end of a specified period shall
20 not be later than the end of the sentence under s. 973.032 (3) (a).

21 **SECTION 429.** 975.10 (1) of the statutes is amended to read:

22 975.10 (1) Any person committed as provided in this chapter may be paroled
23 if it appears to the satisfaction of the department of health and family services after
24 recommendation by a special review board, appointed by the department, a majority
25 of whose members shall not be connected with the department, that the person is

1 capable of making an acceptable adjustment in society. Before a person is released
2 on parole under this section, the department of health and family services shall so
3 notify the municipal police department and county sheriff for the area where the
4 person will be residing. The notification requirement does not apply if a municipal
5 department or county sheriff submits to the department of health and family services
6 a written statement waiving the right to be notified. Probation, extended
7 supervision and parole agents of the department of corrections shall supervise
8 persons paroled under this section.

9 **SECTION 430.** 976.03 (3) of the statutes is amended to read:

10 976.03 (3) FORM OF DEMAND. No demand for the extradition of a person charged
11 with a crime in another state shall be recognized by the governor unless in writing
12 alleging, except in cases arising under sub. (6), that the accused was present in the
13 demanding state at the time of the commission of the alleged crime, and that
14 thereafter the accused fled from the state, and accompanied by a copy of an
15 indictment found or by an information supported by affidavit in the state having
16 jurisdiction of the crime, or by a copy of an affidavit made before a magistrate there,
17 together with a copy of any warrant which was issued thereon; or by a copy of a
18 judgment of conviction or of a sentence imposed in execution thereof, together with
19 a statement by the executive authority of the demanding state that the person
20 claimed has escaped from confinement or has broken the terms of the person's bail,
21 probation, extended supervision or parole. The indictment, information or affidavit
22 made before the magistrate must substantially charge the person demanded with
23 having committed a crime under the law of that state; and the copy of indictment,
24 information, affidavit, judgment of conviction or sentence must be authenticated by
25 the executive authority making the demand.

1 **SECTION 431.** 976.03 (13) of the statutes is amended to read:

2 **976.03 (13) ARREST PRIOR TO REQUISITION.** Whenever any person within this
3 state shall be charged on the oath of any credible person before any judge of this state
4 with the commission of any crime in any other state and, except in cases arising
5 under sub. (6), with having fled from justice, or with having been convicted of a crime
6 in that state and having escaped from confinement, or having broken the terms of
7 his or her bail, probation, extended supervision or parole, or whenever complaint
8 shall have been made before any judge in this state setting forth on the affidavit of
9 any credible person in another state that a crime has been committed in such other
10 state and that the accused has been charged in such state with the commission of the
11 crime, and, except in cases arising under sub. (6), has fled from justice, or with having
12 been convicted of a crime in that state and having escaped from confinement, or
13 having broken the terms of his or her bail, probation, extended supervision or parole,
14 and is believed to be in this state, the judge shall issue a warrant directed to any
15 peace officer commanding the officer to apprehend the person named therein,
16 wherever the person may be found in this state, and to bring the person before the
17 same or any other judge or court who or which may be available in or convenient of
18 access to the place where the arrest may be made, to answer the charge or complaint
19 and affidavit; and a certified copy of the sworn charge or complaint and affidavit upon
20 which the warrant is issued shall be attached to the warrant.

21 **SECTION 432.** 976.03 (22) of the statutes is amended to read:

22 **976.03 (22) FUGITIVES FROM THIS STATE, DUTY OF GOVERNOR.** Whenever the
23 governor of this state shall demand a person charged with crime or with escaping
24 from confinement or breaking the terms of his or her bail, probation, extended
25 supervision or parole in this state from the executive authority of any other state, or

1 from the chief justice or an associate justice of the district court of the United States
2 for the District of Columbia authorized to receive such demand under the laws of the
3 United States, the governor shall issue a warrant under the seal of this state, to some
4 agent, commanding the agent to receive the person so charged if delivered to the
5 agent and convey the person to the proper officer of the county in this state in which
6 the offense was committed.

7 **SECTION 433.** 976.03 (23) (b) of the statutes is amended to read:

8 976.03 (23) (b) When the return to this state is required of a person who has
9 been convicted of a crime in this state and has escaped from confinement or broken
10 the terms of his or her bail, probation, extended supervision or parole, the
11 prosecuting attorney of the county in which the offense was committed, the secretary
12 of corrections, or the warden of the institution or sheriff of the county from which
13 escape was made, shall present to the governor a written application for a requisition
14 for the return of the person, in which application shall be stated the name of the
15 person, the crime of which the person was convicted, the circumstances of escape
16 from confinement or of the breach of the terms of bail, probation, extended
17 supervision or parole, and the state in which the person is believed to be, including
18 the location of the person therein at the time application is made.

19 **SECTION 434.** 976.03 (27) (a) of the statutes is amended to read:

20 976.03 (27) (a) Any person arrested in this state charged with having
21 committed any crime in another state or alleged to have escaped from confinement,
22 or broken the terms of his or her bail, probation, extended supervision or parole may
23 waive the issuance and service of the warrant provided for in subs. (7) and (8) and
24 all other procedure incidental to extradition proceedings, by executing or subscribing
25 in the presence of a judge of any court of record within this state a writing which

1 states that the person consents to return to the demanding state; however, before
2 such waiver shall be executed or subscribed by such person the judge shall inform
3 such person of the person's rights to the issuance and service of a warrant of
4 extradition and to commence an action for habeas corpus as provided in sub. (10).

5 **SECTION 435.** 976.05 (3) (a) of the statutes is amended to read:

6 976.05 (3) (a) Whenever a person has entered upon a term of imprisonment in
7 a penal or correctional institution of a party state, and whenever during the
8 continuance of the term of imprisonment there is pending in any other party state
9 any untried indictment, information or complaint on the basis of which a detainer
10 has been lodged against the prisoner, the prisoner shall be brought to trial within 180
11 days after the prisoner has caused to be delivered to the prosecuting officer and the
12 appropriate court of the prosecuting officer's jurisdiction written notice of the place
13 of his or her imprisonment and his or her request for a final disposition to be made
14 of the indictment, information or complaint, but for good cause shown in open court,
15 the prisoner or the prisoner's counsel being present, the court having jurisdiction of
16 the matter may grant any necessary or reasonable continuance. The request of the
17 prisoner shall be accompanied by a certificate of the appropriate official having
18 custody of the prisoner, stating the term of commitment under which the prisoner is
19 being held, the time already served, the time remaining to be served on the sentence,
20 the amount of good time earned, the time of parole eligibility or date of release to
21 extended supervision of the prisoner and any decisions of the department relating
22 to the prisoner.

23 **SECTION 436.** 976.05 (4) (b) of the statutes is amended to read:

24 976.05 (4) (b) Upon receipt of the officer's written request under par. (a), the
25 appropriate authorities having the prisoner in custody shall furnish the officer with

1 a certificate stating the term of commitment under which the prisoner is being held,
2 the time already served, the time remaining to be served on the sentence, the amount
3 of good time earned, the time of parole eligibility or date of release to extended
4 supervision of the prisoner, and any decisions of the state parole agency relating to
5 the prisoner. Said authorities simultaneously shall furnish all other officers and
6 appropriate courts in the receiving state who lodged detainers against the prisoner
7 with similar certificates and with notices informing them of the request for custody
8 or availability and of the reasons therefor.

9 **SECTION 437.** 977.05 (6) (h) (intro.) of the statutes is amended to read:

10 977.05 (6) (h) (intro.) The state public defender may not provide legal services
11 or assign counsel in parole or extended supervision revocation proceedings unless all
12 of the following apply:

13 **SECTION 438.** 977.05 (6) (h) 1. of the statutes is amended to read:

14 977.05 (6) (h) 1. The parolee or person on extended supervision is contesting
15 the revocation of parole or extended supervision.

16 **SECTION 439.** 977.05 (6) (h) 2. of the statutes is amended to read:

17 977.05 (6) (h) 2. The department of corrections seeks to have the parolee or
18 person on extended supervision imprisoned upon the revocation of parole or
19 extended supervision.

20 **SECTION 440.** 977.06 (2) (b) of the statutes is amended to read:

21 977.06 (2) (b) A person who makes a false representation that he or she does
22 not believe is true for purposes of qualifying for assignment of counsel shall be fined
23 not more than \$10,000 or imprisoned for not more than 5 7 years and 6 months or
24 both.

25 **SECTION 441.** 978.07 (1) (c) 1. of the statutes is amended to read:

1 978.07 (1) (c) 1. Any case record of a felony punishable by life imprisonment
2 or a related case, after the defendant's parole eligibility date under s. 304.06 (1) or
3 973.014 (1) or date of eligibility for release to extended supervision under s. 973.014
4 (1g) (a) 1. or 2., whichever is applicable, or 50 years after the commencement of the
5 action, whichever occurs later. If there is no parole eligibility date or no date for
6 release to extended supervision, the district attorney may destroy the case record
7 after the defendant's death.

8 **SECTION 442.** 980.015 (2) (a) of the statutes is amended to read:

9 980.015 (2) (a) The anticipated discharge from a sentence, anticipated release
10 on parole or extended supervision or anticipated release from imprisonment of a
11 person who has been convicted of a sexually violent offense.

12 **SECTION 443.** 980.02 (1) (b) 2. of the statutes is amended to read:

13 980.02 (1) (b) 2. The county in which the person will reside or be placed upon
14 his or her discharge from a sentence, release on parole or extended supervision,
15 release from imprisonment, from a secured correctional facility, as defined in s.
16 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or
17 from a commitment order.

18 **SECTION 444.** 980.02 (2) (ag) of the statutes is amended to read:

19 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,
20 extended supervision or otherwise, from a sentence that was imposed for a conviction
21 for a sexually violent offense, from a secured correctional facility, as defined in s.
22 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), if the
23 person was placed in the facility for being adjudicated delinquent under s. 938.34 on
24 the basis of a sexually violent offense or from a commitment order that was entered
25 as a result of a sexually violent offense.

1 **SECTION 445.** 980.02 (4) (am) of the statutes is amended to read:

2 980.02 (4) (am) The circuit court for the county in which the person will reside
3 or be placed upon his or her discharge from a sentence, release on parole or extended
4 supervision, release from imprisonment, from a secured correctional facility, as
5 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02
6 (15g), or from a commitment order.

7 **SECTION 446. Nonstatutory provisions.**

8 (1) CRIMINAL PENALTIES STUDY COMMITTEE.

9 (a) In this subsection, “criminal code” means chapters 939 to 951 of the statutes.

10 (b) There is established a committee under section 15.01 (3) of the statutes
11 called the criminal penalties study committee consisting of the following members:

12 1. Two judges appointed by the supreme court.

13 2. The majority leader in each house, or his or her designee.

14 3. The minority leader in each house, or his or her designee.

15 4. One faculty member from the law school of the University of Wisconsin
16 appointed by the governor.

17 5. One faculty member from the law school of Marquette University appointed
18 by the governor.

19 6. The attorney general or his or her designee.

20 7. One current district attorney appointed by the attorney general.

21 8. The state public defender or his or her designee.

22 9. One representative of crime victims appointed by the attorney general.

23 10. One member of the criminal law section of the state bar appointed by the
24 governor.

1 11. One representative of law enforcement agencies appointed by the
2 governor.

3 12. Three public members appointed by the governor.

4 13. The secretary of corrections or his or her designee.

5 (c) The governor shall appoint one member of the committee to be chairperson
6 and one member of the committee to be reporter for the committee.

7 (d) The department of administration shall provide staff services to the
8 committee.

9 (e) The committee shall study the classification of criminal offenses in the
10 criminal code, the penalties for all felonies and Class A misdemeanors and issues
11 relating to the implementation of the changes in sentencing made by this act. In
12 addition, the committee shall make recommendations concerning all of the following:

13 1. Creating a uniform classification system for all felonies, including felonies
14 outside of the criminal code.

15 2. Classifying each felony and Class A misdemeanor in a manner that places
16 crimes of similar severity into the same classification.

17 3. Consolidating all felonies into a single criminal code.

18 4. The creation of a sentencing commission to promulgate sentencing
19 guidelines for use by judges when imposing sentence under section 973.01 of the
20 statutes, as created by this act.

21 5. Temporary sentencing guidelines for use by judges when imposing sentence
22 under section 973.01 of the statutes, as created by this act, during the period before
23 the promulgation of sentencing guidelines by a sentencing commission.

24 6. Changing the administrative rules of the department of corrections to
25 ensure that a person who violates a condition of extended supervision imposed as

1 part of a sentence under section 973.01 of the statutes, as created by this act, is
2 returned to prison promptly and for an appropriate period of time.

3 (f) No later than March 1, 1999, the committee shall submit a report of its
4 findings and recommendations to the legislature in the manner provided under
5 section 13.172 (2) of the statutes and to the governor. The report shall include any
6 proposed legislation that is necessary to implement the recommendations made by
7 the committee in its report.

8 **SECTION 447. Initial applicability.**

9 (1) INCREASE IN FELONY PENALTIES. The treatment of sections 11.61 (1) (a) and
10 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), (1m)
11 (c), (11m) (a) and (11p) (a), 30.547, 30.80 (2g) (b), (c) and (d), 36.25 (6) (d), 47.03 (3)
12 (d), 49.127 (8) (a) 2., (b) 2. and (c), 49.141 (7) (a) and (b), (9) (a) and (b) and (10) (b),
13 49.49 (1) (b) 1., (2) (a) and (b), (3), (3m) (b) and (4) (b), 49.95 (1), 51.15 (12), 55.06 (11)
14 (am), 66.4025 (1) (b) and (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4),
15 97.43 (4), 97.45 (2), 100.26 (2), (5) and (7), 101.143 (10) (b), 101.94 (8) (b), 102.835 (11)
16 and (18), 102.85 (3), 108.225 (11) and (18), 114.20 (18) (c), 125.075 (2), 125.085 (3) (a)
17 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b) and (c), 132.20 (2), 133.03 (1) and (2),
18 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 134.74 (7) (b), 139.44 (1),
19 (1m), (2) and (8) (c), 139.95 (2) and (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70
20 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b) 1. and 2., 167.10 (9) (g), 175.20 (3),
21 180.0129 (2), 181.69, 184.09 (2), 185.825, 214.93, 215.02 (6) (b), 215.12, 215.21 (21),
22 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2),
23 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.) and (c), 299.53 (4) (c) 2., 302.095
24 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3)
25 (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), (b), (c) and (d), 346.65 (5), 346.74 (5) (b), (c)

1 and (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1),
2 552.19 (1), 553.52 (1) and (2), 562.13 (3) and (4), 565.50 (2) and (3), 601.64 (4), 641.19
3 (4) (a) and (b), 765.30 (1) (intro.) and (2) (intro.), 768.07, 783.07, 939.50 (3) (b), (bc),
4 (c), (d) and (e), 946.85 (1), 961.41 (1) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4.,
5 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3.,
6 (i) and (j), (1m) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3.,
7 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3., (i) and (j), (1n) (c), (2)
8 (a), (b), (c) and (d), (3g) (a) 1. and 2. and (4) (am) 3., 961.42 (2), 961.43 (2), 961.455 (1),
9 968.31 (1) (intro.), 968.34 (3), 968.43 (3) and 977.06 (2) (b) of the statutes applies to
10 offenses committed on or after the effective date of this subsection.

11 **SECTION 448. Effective dates.** This act takes effect on the day after
12 publication, except as follows:

13 (1) INCREASE IN FELONY PENALTIES. The treatment of sections 11.61 (1) (a) and
14 (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.99 (1) (c), (1m)
15 (c), (11m) (a) and (11p) (a), 30.547, 30.80 (2g) (b), (c) and (d), 36.25 (6) (d), 47.03 (3)
16 (d), 49.127 (8) (a) 2., (b) 2. and (c), 49.141 (7) (a) and (b), (9) (a) and (b) and (10) (b),
17 49.49 (1) (b) 1., (2) (a) and (b), (3), (3m) (b) and (4) (b), 49.95 (1), 51.15 (12), 55.06 (11)
18 (am), 66.4025 (1) (b) and (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4),
19 97.43 (4), 97.45 (2), 100.26 (2), (5) and (7), 101.143 (10) (b), 101.94 (8) (b), 102.835 (11)
20 and (18), 102.85 (3), 108.225 (11) and (18), 114.20 (18) (c), 125.075 (2), 125.085 (3) (a)
21 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b) and (c), 132.20 (2), 133.03 (1) and (2),
22 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 134.74 (7) (b), 139.44 (1),
23 (1m), (2) and (8) (c), 139.95 (2) and (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70
24 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b) 1. and 2., 167.10 (9) (g), 175.20 (3),
25 180.0129 (2), 181.69, 184.09 (2), 185.825, 214.93, 215.02 (6) (b), 215.12, 215.21 (21),

1 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2),
2 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.) and (c), 299.53 (4) (c) 2., 302.095
3 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3)
4 (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), (b), (c) and (d), 346.65 (5), 346.74 (5) (b), (c)
5 and (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1),
6 552.19 (1), 553.52 (1) and (2), 562.13 (3) and (4), 565.50 (2) and (3), 601.64 (4), 641.19
7 (4) (a) and (b), 765.30 (1) (intro.) and (2) (intro.), 768.07, 783.07, 939.50 (3) (b), (bc),
8 (c), (d) and (e), 946.85 (1), 961.41 (1) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4.,
9 5. and 6., (e) 1., 2., 3., 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3.,
10 (i) and (j), (1m) (a), (b), (cm) 1., 2., 3., 4. and 5., (d) 1., 2., 3., 4., 5. and 6., (e) 1., 2., 3.,
11 4., 5. and 6., (f) 1., 2. and 3., (g) 1., 2. and 3., (h) 1., 2. and 3., (i) and (j), (1n) (c), (2)
12 (a), (b), (c) and (d), (3g) (a) 1. and 2. and (4) (am) 3., 961.42 (2), 961.43 (2), 961.455 (1),
13 968.31 (1) (intro.), 968.34 (3), 968.43 (3) and 977.06 (2) (b) of the statutes and SECTION
14 447 (1) of this act take effect on July 1, 1999.

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(END)